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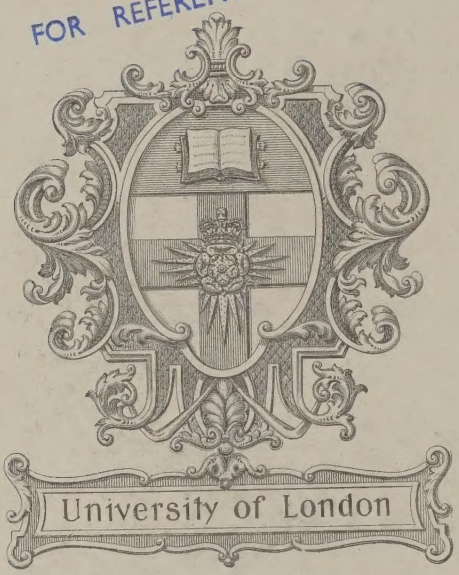

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# REPORTS

FROM

# COMMITTEES:

*FIFTEEN VOLUMES.*

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—*(1.)*—

ABORIGINES,

(BRITISH SETTLEMENTS.)

Session

*4 February* —— *20 August* 1836.

VOL. VII.

1836.

# REPORTS FROM COMMITTEES:

1836.

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*FIFTEEN VOLUMES:—CONTENTS OF THE*

FIRST VOLUME.

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N. B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Report; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

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## ABORIGINES (BRITISH SETTLEMENTS):

538. REPORT from the Select Committee to consider what measures ought to be adopted with regard to the NATIVE INHABITANTS of Countries where BRITISH SETTLEMENTS are made, and to the neighbouring Tribes, in order to secure to them the due observance of Justice and the protection of their Rights; to promote the spread of Civilization among them, and to lead them to the peaceful and voluntary reception of the Christian Religion; with MINUTES of EVIDENCE and APPENDIX, p. 1

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# REPORT

FROM THE

## SELECT COMMITTEE

ON

## ABORIGINES (BRITISH SETTLEMENTS;)

TOGETHER WITH THE

## MINUTES OF EVIDENCE,

## APPENDIX AND INDEX.

*Ordered, by* The House of Commons, *to be Printed,*
5 *August* 1836.

*Martis, 9° die Februarii,* 1836.

*Ordered,* THAT a Select Committee be appointed to consider what Measures ought to be adopted with regard to the Native Inhabitants of Countries where British Settlements are made; and to the Neighbouring Tribes, in order to secure to them the due observance of Justice, and the protection of their Rights; to promote the spread of Civilization among them, and to lead them to the peaceful and voluntary reception of the Christian Religion.

And a Committee was appointed of,—

Mr. Fowell Buxton.
Mr. Hardy.
Mr. Hawes.
Mr. Bagshaw.
Sir Rufane Donkin.
Mr. Holland.
Mr. Charles Lushington.
Sir George Grey.
Mr. Pease.
Mr. Baines.
Mr. Andrew Johnston.
Mr. Hindley.
Mr. Plumptre.
Mr. Wilson.
Colonel Thompson.

*Ordered,* THAT the Committee have power to send for Persons, Papers and Records.

*Ordered,* THAT Five be the Quorum of the Committee.

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*Veneris, 12° die Februarii,* 1836.

*Ordered,* THAT the Minutes of Evidence of the Committee of last Session be referred to the Committee.

*Ordered,* THAT the Committee have power to report the Minutes of the Evidence taken before them, together with their Observations thereupon, from time to time, to The House.

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*Martis, 16° die Februarii,* 1836.

*Ordered,* THAT Mr. Hardy be discharged from further attendance; and that Mr. William Gladstone be added to the Committee.

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# REPORT.

THE SELECT COMMITTEE appointed to consider what Measures ought to be adopted with respect to the Native Inhabitants of Countries where British Settlements are made, and to the Neighbouring Tribes, in order to secure to them the due observance of Justice and the protection of their Rights; to promote the spread of Civilization among them, and to lead them to the peaceful and voluntary reception of the Christian Religion; and to whom the Minutes of Evidence of the Committee of last Session were referred; and who were empowered to report the MINUTES OF THE EVIDENCE taken before them, together with their Observations thereupon, from time to time, to The House :—HAVE, pursuant to the Order of The House, examined the Matters to them referred, and have agreed to the following REPORT:

YOUR Committee have proceeded to take Evidence, and their Inquiries have extended to Southern Africa, the Canadas, Newfoundland, New South Wales and Van Diemen's Land. They have also received some Information relative to New Zealand and the South Sea Islands, which countries, though not British Possessions, are continually visited by Subjects of Great Britain, and on which many of them reside.

As a portion of the Evidence is not yet printed, Your Committee find it impossible to prepare a well-digested Report.

Your Committee, therefore, suggest the propriety of directing the Evidence to be printed for the Information of The House, and of re-appointing the Committee early in the next Session, in order that they may then consider and report upon the very important subject committed to their investigation. An opportunity will then be afforded of receiving Evidence, if tendered, with the view of meeting any Allegations already made, which may appear inculpatory, the discretion being reserved of admitting or rejecting such Evidence according as the Committee shall or shall not deem it to bear advantageously upon the purposes of their Inquiry.

Your Committee are prepared at present to say no more than that the question is one which merits the most careful attention, and that they believe it will not be difficult to devise a system of Intercourse with uncivilized Nations more consonant to Justice and Humanity, more in unison with the high character which Great Britain ought to maintain, and more conducive to her real interests, than that which has been hitherto adopted.

*August* 1836.

# PROCEEDINGS OF THE COMMITTEE.

## DIVISIONS.

*Lunæ, 6° die Junii,* 1836.

Motion made and Question put, That Dr. *Philip* be not examined before this Committee on any matter touching the Aborigines of the Cape of Good Hope.—Sir Rufane Donkin.

The Committee divided.

| Ayes, 1. | Noes, 4. |
|---|---|
| Sir Rufane Donkin. | Mr. Charles Lushington |
| | Mr. Andrew Johnston. |
| | Mr. Wilson. |
| | Mr. Holland. |

*Lunæ, 20° die Junii,* 1836.

Motion made and Question put, That *Tzatzoe* be not examined before this Committee upon any question of grievances which he may allege that he has endured, unless it shall appear that the same have been communicated to the Government without effect.—Mr. William Gladstone.

The Committee divided.

| Ayes, 4. | Noes, 4. |
|---|---|
| Mr. William Gladstone. | Mr. Charles Lushington. |
| Sir Rufane Donkin. | Mr. Andrew Johnston. |
| Mr. Holland. | Mr. Hindley. |
| Mr. Bagshaw. | Mr. Baines. |

The Chairman gave his casting vote in the negative.

*Mercurii, 3° die Augusti,* 1836.

Proposed Report read:

Amendment proposed, to leave out all the words from "careful attention," in the last paragraph, in order to insert the words, "and that they believe it will be practicable to devise a system of intercourse with the uncivilized tribes, consonant to justice and humanity, and in unison with the high character of Great Britain," instead thereof.—Mr. William Gladstone. Question put, That the words proposed to be left out stand part of the Report.

The Committee divided.

| Ayes, 3. | Noes, 2. |
|---|---|
| Mr. Wilson. | Mr. Bagshaw. |
| Mr. Baines. | Mr. William Gladstone. |
| Mr. Charles Lushington. | |

# MINUTES OF EVIDENCE.

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# MINUTES OF EVIDENCE.

*Veneris, 31° die Julii,* 1835.

## T. F. BUXTON, ESQUIRE, IN THE CHAIR.

Captain *Robert Scott Aitchison*, called in; and Examined.

Captain *R. S. Aitchison.*

31 July 1835.

1. YOU are an officer in the Cape Mounted Riflemen?—I am, at this moment.

2. How long have you been in that regiment?—Since October 1819.

3. Have you been in the Cape the greater part of that time?—I have been there many years. With the exception of two years, I have been there all the time.

4. Where is that regiment in general stationed?—Always on the frontiers; for upwards of 20 years on the frontiers. When it was regularly formed, shortly after the capture of the colony in 1806, for the sake of drills and so forth, it was kept near Cape-town; it was subsequently removed to the frontiers. I believe no part of the regiment remained in Cape-town after 1811.

5. What is the strength of the corps?—At present 200 men.

6. What description of persons are they?—Hottentots, with a few European non-commissioned officers.

7. Have you found that the Hottentots are capable of making good soldiers?—For the sort of duty required, extremely good.

8. How long were you yourself stationed upon the frontier?—I have been stationed upon the frontier since 1819, with the exception of two years.

9. Had you been upon the frontier previous to 1819?—I had, as an officer of artillery.

10. Were you present at the interview between Lord Charles Somerset and Gaika?—I was.

11. Was that a verbal treaty, or was it a treaty committed to writing?—I believe perfectly verbal. I did not, upon that occasion, see any document whatever drawn out.

12. Did you understand at the time what the conditions of that treaty were?—Yes.

13. Will you be kind enough to state them?—That the boundary of the Great Fish River, which had before been considered the western boundary——

14. In what year was this?—He had the interview with Gaika about the 12th of October 1819.

15. Will you be kind enough to state the conditions of that treaty as well as you recollect?—Perhaps it would be better to state beforehand the Caffres had been extremely troublesome. There had been a large commando sent into Caffreland under Colonel Brereton, ordered in to make reprisals for sundry depredations which had been committed by the tribes of Caffres under the chief Llambi, when I think 20,000 head of cattle were taken, brought into the colony, and distributed among such persons as had been robbed. This caused a great sensation in the country, and for a time the Caffres were again quiet.

Captain R. S. Aitchison.

31 July 1835.

16. May I ask were those cattle taken from persons who actually made irruptions?—That I cannot answer. The chiefs, Gaika and Llambi, had quarrelled, and Gaika had been taken under the protection of the British Government.

17. Was it chiefly for the purpose of assisting Gaika?—And also to remunerate the frontier farmers who had been robbed.

18. Those were the previous circumstances?—Yes. Upon this occasion 20,000 head of cattle were brought out of Caffreland, a large proportion of which Gaika got. For a short time after this the Caffres were tolerably quiet, but towards the beginning of summer they again became troublesome, and entered the colony in great force. To check these, the burgher force from the different districts were kept near Graham's-town. Before it had got ready to enter Caffreland, the Caffres attacked the head-quarters at Graham's-town, with a force of from 7,000 to 9,000: they were very roughly handled; they lost about 500, and were repulsed.

19. All this was in 1820?—In 1819. After the commando went in to punish the Caffres, not only for the attack on Graham's-town but for previous bad conduct, Lord Charles Somerset then came up. Those troops that were collected from the different districts entered Caffreland in July 1819. Colonel Wiltshire commanded, and remained in Caffreland till the following October. In October of that year, Lord Charles Somerset joined the commando, and entered into a treaty with Gaika, solely acknowledging him as chief of the Caffres. The treaty was verbal, as far as I have been aware, and I was present during the whole time. It was then stipulated that the Keiskamma River should be the eastern boundary of the colony, instead of the Great Fish River, which had heretofore been so, about 25 miles to the westward of the Keiskamma. The Keiskamma, from the sea to the confluence of a small stream called the Chumie, I should think about 70 miles from the sea, and from the junction of this stream, the Chumie, to a place called Gaika's-hill, was to have been the boundary, and thence to a very large hill called the Winterburg. The water which flows on the eastern side of this range was to be considered as belonging to the Caffres, and that to the westward as belonging to the colony. That was the compact which I understood Lord Charles Somerset entered into with Gaika in October 1819.

20. And previously to that the Great Fish River was the boundary?—Yes.

21. Perhaps you will state what was the area of that country which by that treaty was taken away from the Caffres?—The distance at the mouth, from the Keiskamma to the Great Fish River, is nearly 30 miles; but there are parts where they approach within six or eight miles; it is a very unequal space, and the distance from the sea to Gaika's-hill must be from 60 to 70 miles.

22. But the Winterburg would be the extreme point?—That was hardly inhabited by the Caffres. I should say, taking the medium, or the average altogether, you may say from about 15 to 18 miles.

23. Fifteen to 18 miles broad and 60 to 70 long?—I should think that is very near it.

24. Did this territory belong to Gaika previously?—Not to Gaika solely; the chief Llambi and several others had occupied that part of the country as well as Gaika's people; but Gaika was the only chief that the British Government acknowledged.

25. But was he, in point of fact, a sovereign of the soil, or were there not other independent chieftains who had locations in it?—Gaika was descended from the oldest family among the Caffres. You could trace his origin further back than any of the others; and this Llambi was uncle to Gaika, who had, during the minority of Gaika, been a sort of regent among them; and, when this young man became fit to undertake his own business, the other declined yielding up the power to him, and then they came to quarrel.

26. But were there not some other independent chieftains besides Llambi and Gaiki?—No, I think not. They were in some degree independent, but still it either belonged to Llambi or Gaika's people. There were dozens of others, but I do not think they were at all independent.

27. But do you conceive that Gaika had a right to reign over that portion of the territory of the British Government without the assent of other persons who were interested?—The right; certainly not.

28. Now,

Captain R. S. Aitchiso

31 July 1835

28. Now, state the conditions of the treaty?—Merely, as I said before, that the Caffres should remove to the eastward of the Keiskamma, and adhere strictly to the compact entered into. Gaika promised, in fact, that he would use his utmost endeavours to carry this treaty into effect, by seeing that no Caffres should come on this neutral territory. It was decreed, also, the territory the Caffres relinquished should not be occupied by British colonists.

29. Then this verbal agreement was that that space should be unoccupied?—Except by military posts; it was not to be occupied by settlers or farmers. Military posts were to be placed there.

30. But there were to be no European colonists?—We had no idea in those days of Europeans settling there. We referred to the Boors.

31. That the Boors on the one hand, and the Caffres on the other, should not be at liberty to occupy the country?—Exactly.

32. Are you aware whether the circumstance of that treaty not having been a written one has been the cause of constant irritation from that period?—There has been a great deal of bad feeling caused by it. The Caffre does not care one farthing for any agreement; he has no principle about him. I believe there would have been the same quibbles if there had been a written agreement.

33. What was the motive for declaring this territory a neutral territory?—The banks of the Great Fish River, from the sea for a distance of 60 miles, are covered with almost impenetrable forests, which in many places are to the width of 15 miles, into which the Caffres come at any time during the night, cross this open country, and, to any number, conceal themselves, and watch their opportunities of plundering the colony.

34. It was called, in the first instance, the neutral colony; did it ever acquire the name of ceded territory?—I have heard it frequently termed a ceded territory; but I do not exactly recollect the time at which it got this name. I know it has latterly been termed ceded territory.

35. Do you recollect its being occupied, after the treaty was made, by the Boors in any numbers?—The northern part of it was; the Winterburg is now, in fact, occupied thinly by Boors; and, towards the sea, Sir Rufane Donkin established a sort of half military post called Frederickburg, within about 16 miles of the sea.

36. At that time were any of the burghers permitted to enter the neutral territory?—For some time afterwards, not.

37. Were they, at any subsequent period, allowed?—Yes.

38. What were the conditions upon which they were allowed so to enter?—The chief Macomo, upon representing the hardship of his being removed out of the country and giving up the Kat River, which was formerly his, was allowed to return again; but many robberies had been committed by his people, and traced to his kraals or huts. In 1822 or 1823, a large force, in which I was employed, surprised these kraals in the middle of the night, and we took from them 7,000 beasts.

39. From Macomo?—From Macomo.

40. Who was the chief of the Caffre force of 7,000 men who attacked Graham's-town in 1819?—Llambi; it was under his orders; but he was too old himself to be there; his sons and his principal men were there.

41. Was he really or nominally subordinate to Gaika?—The British Government looked upon him, and wished to make him to be considered as subordinate to Gaika; but he would not submit to that.

42. Was he included in the treaty with Gaika?—Gaika meant to answer for him as far as he could; but it was previous to the treaty that this attack was made upon Graham's-town.

43. Then this neutral country was not to be occupied either by the Boors or the Caffres?—No.

44. Then who were the possessors of this territory?—I fancy many years back the Hottentots were; but the Caffres had got it merely by the force of physical power, by driving the others from it.

45. Caffres were the possessors of it?—Long before we had the colony the Caffres had it. In point of fact, the Caffres had a great part of the colony we now possess to the westward of the Great Fish River, when I went to the Cape first.

46. Then you cannot describe exactly who were the possessors of the neutral

Captain S. *Aitchison.*

July 1835.

territory at the time when the settlement was formed?—The Caffres had been the occupants, but how they came into possession of the country I cannot possibly say; they had it many years before this; the Caffres were the burghers.

47. The territory that we are now discussing, that is to say between the Great Fish River and the Keiskamma, that ceded to the British Government, did not entirely belong to Gaika?—Certainly not.

48. As far as his interests were concerned, he certainly ceded it to the British territory; but you are not perfectly aware that those other chiefs who had it, had, if not a separate, a joint interest with him in that land; you are not perfectly aware whether they were consenting parties to it?—I believe Llambi positively refused.

49. Was Llambi the acknowledged owner of any particular part of this territory, or was it held in joint tenure?—The way the Caffres had that country is merely a sort of understood limit amongst themselves; in removing from one place to another, they say such and such a stream shall bound my territory.

50. Llambi being the aggressor, his part of the territory was taken from him as a matter of conquest?—Exactly.

51. But one of the motives for your negociation in the war with Llambi was for the purpose of setting Gaika against him?—It was.

52. Pato was an independent tribe too?—Yes; a small tribe, who have always lived down towards the coast. There was the old chief, called Cobus Congo, he left three sons, who are now chiefs of a small tribe: those chiefs are called Kama, Pato and Cobus Congo.

53. Then they have also part of this territory?—Merely by indulgence.

54. They were afterwards to come there?—They were to have gone across the Keiskamma as well as the others: it was a better conducted tribe than the others.

55. So that in fact, they were allowed to remain on this neutral territory?—By sufferance merely.

56. Was that sufferance granted to them through Gaika?—I cannot speak positively as to that.

57. Then as this neutral territory, taking it upon the whole, was neither allowed to be occupied by the Dutch Boors or by the Caffres, but only to be taken military possession of by the English, it may in that sense be called a ceded territory, because the British were as military men only allowed to occupy it for military purposes?—Yes.

58. Do you know how it is stated in official documents; is it ceded or neutral?—I think indiscriminately; I have seen it many times both; it was at one time neutral.

59. Then it got the name of ceded?—Being occupied by the Frederickburg party may have given rise to the change of name. By some means or other the terms ceded and neutral became indiscriminately used.

60. Did not Sir Rufane Donkin make subsequently another treaty with Gaika, by which the territory was entirely ceded?—I believe Sir Rufane Donkin met Gaika, and entered into such explanations as led to the formation of Frederickburg, but I do not know what they were.

61. When you first went into that country, I think I understood you to say that a great proportion of that which now consists of British territory was in the occupation of the Caffres?—It was.

62. Do you remember in the year 1830, the settlement of a number of Hottentots with their families near the Kat River?—Certainly.

63. Please to describe a commando; how the orders are originally given, and the process?—A commando is merely a name attached to a force collected, either a regular military force, or partly military and partly civil. The magistrates in that country have power to order the farmers upon military duties when occasion requires. The commandant of the frontier, or the civil authority, demands assistance from the military and from the neighbouring counties, to check any inroad the Caffres may make, or to recover beasts that may have been stolen; these when collected are called a commando.

64. May not orders be given by persons in inferior stations to that of the magistrates?—Not to my knowledge.

65. Have you ever been employed upon these commandos?—Very frequently.

66. What was the first step generally taken in those cases?—It depends upon whether we went to check irruptions into our own country, or to punish for depredations committed. If by crossing the boundary upon the trace of stolen cattle we

were to follow them as far as we could—but I ought to say, different governors vary so much in their opinions and take such extremely different views of a subject, that it was a difficult matter for those employed to know how to act.

67. Now you traced the cattle as far as you could?—Yes, generally, to some Caffre's kraal.

68. And if you do not find the cattle there, what do you do?—At one time we used to go to the first kraal we could and make reprisals; with those of course we returned to the colony, and they were given over to the civil authorities, to be disposed of as they thought fit. Upon other occasions we trace the cattle as far as we think proper, till we come to the kraal, and then point out to the chief of such kraal that the trace of such beasts had gone through his territory, and desired him to follow them up.

69. Suppose he denied all knowledge of them?—If you pointed out that the beasts had gone through and he refused to assist you, you took his cattle.

70. But supposing, without refusing to assist you, he declared his inability to do so?—That he could not do, because they have nothing else to do; and it is a country where if you once get on the trace of beasts, unless there has been a heavy rain, you cannot help following it.

71. Was it not the practice of these cattle stealers to drive the cattle which they plundered to the neighbourhood of some kraal, in order that the British force might make their attack upon that kraal?—They never could do it unobserved, the Caffres are never away from their kraals, not a single beast can go through the country without their knowing it; though they frequently professed not to know it, we were perfectly sure they knew all about it. They are the most observant persons in the world in that respect.

72. Were you present at any instance in which cattle were taken from the first kraal at which you arrived?—I do not recollect that I was.

73. You spoke of two periods, in one of which you took 7,000 cattle, at another 20,000?—I was not present at the 20,000; I was present at the 7,000.

74. I wanted to know whether those reprisals were regulated by any standard; whether in taking the 7,000 and the 20,000, you took the quantity that had been taken from your colonies, or took an indiscriminate quantity, seizing as many as you could obtain?—I can speak as to the 7,000. After we had collected the cattle that we had taken from the Caffres they were counted, and 7,000 exactly was the number. They were taken to Fort Beaufort, a distance of about 30 miles, and returns were made of the numbers that were taken from the different places; each number that made up that quantity was driven out, and the rest were given back to the Caffres.

75. So that you only took from the Caffres the number which you lost?—Which were returned as having been stolen by them.

76. In consequence of your sometimes taking the cattle from the first kraal you came to, and sometimes tracing them, on the approach of the commando were the inhabitants aware that they should or should not lose the cattle?—Whenever the commando was coming, they drove all the cattle away.

77. Was that under the apprehension that the British force would seize their cattle?—Yes.

78. In the case of the 7,000 that you have mentioned, were they found to be the very cattle that were taken out of the country?—No, there were many among them that were known as colonial cattle, and claimed by the owners.

79. But others were Caffres' cattle?—Yes.

80. Then I would ask in such case, is it the custom to return head for head?—It has been most mischievously allowed to be so; but a Caffre bullock is not worth one-half the value of a colonial bullock, and the circumstance of allowing merely one head to be taken for one head, was a premium upon robbery; it induced the Caffre to rob, because he had the chance of escaping altogether.

81. It has been described to me as a kind of premium, as you very properly say, on robbery; is it not notorious that a Caffre being such an excellent judge of cattle, has gone in the night into the kraal of a colonist, and there selected his very best milch cows to carry off?—I have known it to be the case on more occasions than one.

82. And then when the colonist has sought his remedy through a commando, has he not been obliged to put up with the cattle of the Caffres, head for head?—Yes.

83. Has there not been subsequently some different arrangement entered into, by

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by which for every head of cattle belonging to the colonist, if taken away, two shall be substituted?—At one time that was a good deal talked about, and for a short time acted on; but, as I said before, the systems have been so changed that one cannot, above three or four months at a time, know what to do.

84. Then I would ask, whether a great number of the robberies that have been committed, have not been committed by a set of marauders belonging to Caffreland, not specifically the subjects of any of the tribes or the chiefs that we have mentioned; whether, unknown to the chiefs, they have not gone into the territory of the Caffres at the Cape of Good Hope, and there stolen the very best of the colonists' cattle, driven them into Caffreland, and driven them through a kraal, thus making the first kraal which they arrived at responsible for their nefarious acts?—I believe it seldom occurs that the Caffre enters the colony for the sake of plunder, without the concurrence of his chief, and I do not think that there are in Caffreland any set of Caffres who are not under some particular chief; I do not think there are any persons whom you may call vagabond Caffres.

85. It has been described to me as very much like the kind of marauding system that went on in our own borders between Scotland and England?—Very much like it.

86. Do you know any instance in which the Boors or Europeans had claimed a quantity of cattle as stolen, and it was afterwards proved that those cattle had never been stolen?—Yes; not frequently. I have known Boors come and report to me that so many head of cattle had been driven off by the Caffres, and my own patrol in going to the house have found the cattle in the little jungles in the neighbourhood of the place.

87. And he did that for the purpose of getting compensation for this pretended loss?—He was either too idle or his herds were too idle to go and look after them. If it should come on to rain, there is the greatest difficulty in keeping the cattle from going astray, and the Hottentots get very indolent in rainy weather. The cattle are allowed to stray, and they report to the master that the Caffres have stolen them. The master of course, anxious to lay in his claim for compensation in case they are really stolen, rides immediately to the nearest military post, and reports that so many head of cattle have been stolen by the Caffres.

88. Have you not known worse cases than that, in which there was a claim of compensation for cattle never stolen at all, or astray?—I do not recollect an instance of that kind.

89. Where the Boors belonged to the commando, were they under the authority of military officers?—Yes.

90. Were those Boors generally subordinate?—Tolerably. To military people they would appear not, but taking everything into consideration, they were very well-conducted sort of persons.

91. Was the military authority usually competent to restrain the Boors from acts of excess and cruelty?—Yes. On more occasions than one I recollect the Boors being without a military officer, and upon one occasion I recollect a disgraceful scene took place; I was in the field, but it was at about 10 miles distance from me. There was another party of Boors of about 150, who acted in a parallel direction to me. These men had seized a number of cattle, and wantonly killed 11 Caffres. That is the only instance I ever knew during the whole time that I was in the country, of cold-blooded murder.

92. When these Boors were acting by themselves, independently of military authority, did they usually conduct their proceedings with moderation?—With that exception, I do not recollect having heard any act of cold-blooded murder. A short time before I left the country, I recollect having heard of some Boors having murdered some Caffres most wantonly, but I am not quite master of the circumstances; I was not near, nor was I on the frontier I think, but I recollect having heard something very bad; that they had got hold of some unfortunate Caffres, and fired at them in the most wanton manner.

93. When was this?—Last year. I think I heard that the attorney-general had been ordered to prosecute. I do not know the parties, but I heard something of the case.

94. Whether accompanied by troops or not, is this expedition called a commando?—Yes.

95. What is the patrol system?—The patrol system is very similar to the commando, only it does not go out for any specific purpose, it goes out merely for observation,

observation, and to intercept any parties of Caffres with beasts that may be going out of the colony, or Caffres coming in.

96. You say it is generally easy to trace the cattle, except in the rainy season?—Yes.

97. Do you not think that a good effect would arise from its being understood as a general rule, that in consequence of its being so easy to trace the cattle, the cattle that were stolen only should be taken, so that the neighbours who had cattle at their kraals would not be induced to drive them away from fear of their being taken?—The difficulty would be this; the moment a party who have stolen cattle come into a country thickly inhabited by Caffres, they drive the stolen cattle amongst those belonging to the Caffres, and frequently take the whole together for a considerable distance, and eventually separate them into several small herds.

98. If it were possible to establish that system, would it or would it not have a very good effect on the original inhabitants?—If it could be established, I think it would; but I do not think it is possible.

99. On what authority does the commando march; from the direction of the magistrate?—Nobody can enter Caffreland without the sanction of the military commander.

100. Then I wish to know on what authority he has this command?—By the order of the governor.

101. If I understand the matter right, when a Boor loses his cattle he makes application to the magistrate?—To the nearest military post.

102. And upon his affidavit, or stating this fact satisfactorily to the magistrate, he interferes?—The magistrate is not required on these occasions; the magistrate is 60 miles off. I have been constantly on the frontier. The moment a farmer is aware that his cattle are driven off by the Caffres, he rides to the nearest military post, and there states his grievance. That officer has directions to listen to that, and to ascertain, as far as it is in his power, the truth of it. If he is satisfied of the truth of it, he sends an officer if possible; but in many cases we have so small a force, that an officer could not be sent, and therefore non-commissioned officers were frequently trusted; they were sent to ascertain whether or not the cattle had crossed or passed as the farmer reported, and whether or not the Caffres were following them up. The trace of the Caffres is so marked, that there can be no mistake.

103. And your men of course are admirably calculated for the purpose?—They know it as well as possible. If then the officer who goes is satisfied, and finds the case as the Boor stated, the Boor's son, the Boor himself, or some person or other to identify the cattle, is ordered to accompany the patrol. The patrols go on these traces till they come to a kraal. When the system was to take from the first kraal, they did so; when the system was to set the inhabitants of the first kraal on the traces, the patrol was ordered to wait until they reported what they had done, and whether they recovered the cattle or not.

104. Then, whether the cattle were taken from the first kraal, or followed up, depended on the officer?—He then returned to his post, and reported his proceedings to the commandant. When repeated robberies had been committed, and everything done by the small patrols to recover the cattle, and failed, then generally a large force was sent.

105. No commando was undertaken without the sanction of some civil authority?—No.

106. Patrols were?—At one time the commandant could of himself send a force into Caffreland, but latterly the orders have been, that the civil commissioner and the military commandant shall act conjointly.

107. Do you know the cause of that order being given lately in particular?—No.

108. It did not arise from any peculiar circumstances?—No, I do not recollect that it did.

109. Were you called upon constantly to perform duties of this kind?—Constantly; not perhaps so frequently latterly, from my seniority in the corps; but I have known the junior officers to have been out four times in the week.

110. Upon these expeditions?—Upon these expeditions.

111. So that it was the great business of the corps?—The sole business of the corps; I have been left at my own post with seven or eight men only.

112. Do you remember in 1830 the settlement of a number of the Hottentots on the Kat River?—Perfectly.

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113. Was Macomo expelled from thence?—He was.

114. What was the alleged ground of his expulsion?—Depredations committed by his people, but I believe chiefly to locate those Hottentots. He was only there by sufferance.

115. Have you ever been employed in removing any of the Caffre tribes out of the neutral territory?—I have; in November 1833 I was ordered to remove Macomo, Botman and Tyali, beyond the boundary, which I did.

116. Who was the commandant of the frontier at that time?—Colonel England, of the 75th; Colonel Somerset having gone on leave to England.

117. Who was the governor?—The acting governor was Colonel Wade; after Sir Lowry Cole's departure, and before Sir Benjamin D'Urban arrived, Colonel Wade was acting governor.

118. Will you state what took place when you were ordered to remove Macomo and Tyali?—Colonel England sent for me (I was absent about 30 miles from Graham's-town), and stated that he had received from Cape-town orders to remove those chiefs beyond the boundary, and that I was named for that duty. He then, as I had been a long time in the country and understood these matters perfectly, asked me the policy of that step, and we agreed that as it was the time of the year when the Caffre corn and pumpkins were in a forward state, that if this could be put off for a few months it would be an act of charity towards the Caffres. Viewing it as I did, he did not act upon the order, but by the post of the following day wrote to say that such being the case, he had submitted again the policy of allowing the Caffres to remain until they had reaped their harvest, and hoped it would be approved of by the governor. By return of post, which was about 14 days from that date, a peremptory order arrived for the removal of the Caffres. I was named and ordered to repair to Fort Wiltshire, to take upon myself the command of that post, and to superintend the clearing of the country. The force that was then put under my charge was quite inadequate to effect this purpose by force. I sent for Macomo and for Botman, and as I had known them many years, I told them, and in fact they expressed great confidence, knowing that I had never deceived them in any way whatever, and never promised them that which I could not perform. I sent for them and explained the case. At first they refused positively to go; I then pointed out as well as I could the absurdity of objecting to go. Macomo said he knew very well that I could not force him; I said of course that I must do it, but that if he would go quietly and advise all his people to do the same, Colonel Somerset might be expected very shortly and also the new governor, and that his good behaviour on this occasion would ensure him my support, and that I would not fail, if he went quietly, to mention his conduct to both when they arrived. After many hours, I may say almost, of needless conversation upon the subject, he at last said that he would believe me, and would go. I gave him two days to complete the evacuation of the country, and I then went with the whole force I had, and did not find a single Caffre.

119. Had they left any property?—All the corn, which was quite green, all the gardens, and all the pumpkins, and everything was left; no animals were left.

120. So that the Caffres had to sacrifice all their corn and pumpkins?—Not altogether; there was nothing to destroy them except the birds; but they take no pains after it is once planted, there is no watering or anything of that kind. Birds and destructive animals are very numerous in that country, and they get in and spoil it; but otherwise, as far as regards the superintending of the thing, they did no harm.

121. They abandoned it?—Yes.

122. In this conversation that you had with Macomo, did he claim his right to stay?—No; but he distinctly said, which we found out afterwards to be the case, that he could not make out the cause of his removal, and asked me if I would tell him; and I really could not; I had heard nothing; no cause was ever assigned to me for the removal; and moreover I met a Boor who lived close to where Macomo was, and he said "Pray what are you removing these people for?" I said "My orders are to do so." He said "I am very sorry for it, for I have never lost, so long as they have been here, a single beast; they have even recovered beasts for me."

123. Then the question was, whether you had the power to send him away or not by force?—He was only there by sufferance.

124. I thought Macomo would not allow that?—Llambi is the man who would not allow it; Macomo is one of Gaika's sons.

125. Then Macomo behaved, in this interview between you and him, very well?—At

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—At first, as may be supposed, he was very violent; the man was very much irritated. I could not assign any reason why he was ordered to be removed; and he absolutely stated, "I will allow you to inquire at Fort Wiltshire whether or not I have not sent in horses and cattle re-captured from other Caffres, which had been stolen from the colony."

126. What had been the previous conduct of Macomo?—He had been a good deal blamed at one time. He was certainly the most daring Caffre of the whole; a gallant bold fellow, and as a friend, a most excellent one; but as an enemy, a very dangerous one.

127. But he was a man, from your intercourse with him, in whom you could place reliance, if he pledged his word to you?—I should have no hesitation in doing so.

128. Did your removal of Macomo cause any sensation amongst the colonists as well as among the Caffres themselves?—I am led to believe so.

129. Were there fears entertained at the time of the traders living in Caffreland being sacrificed?—So little did I think there was anything of that kind, that I could hardly get the traders to go out with me when I came back. There were two traders who, when I drove the Caffres out from that country, went with them and I could hardly get them back.

130. Immediately after having dispossessed these people, did they show any extreme regret at abandoning their possessions?—Very.

131. Did you see any instance of great distress amongst them?—Unfortunately it so happened for them that it was a particularly dry season; the grass, which generally is very abundant, was very scarce indeed, and also water; and they were driven out of a country that was both better for water and grass than the one they were removed to, which was already thickly inhabited. They took me over the country they were to inhabit, and I assure you there was not a morsel of grass upon it more than there is in this room; it was as bare as a parade.

132. On Colonel Somerset's return from England, was there any permission given to Macomo and his followers to return?—I mentioned to Colonel Somerset on his return what I had told Macomo; I considered it my duty to do so, and he either obtained or gave the Caffres permission to re-occupy the ground from which I had driven them.

133. How was it that Kama came back again to this country, when it was so well known that it was not to be occupied at all by Caffres?—The fact is, you can never get the Caffres to live distinct from wood; where there is no wood, there is seldom good water. In the part of the country which we have taken from them is the best wooded part of the whole: in the further back part of it the wood is very scarce indeed, and in some parts it is so bad that they can get nothing to burn but the droppings of their animals.

134. But they had permission to return?—Yes.

135. They had permission to return, then they were removed by you, and then they returned again, by the permission obtained from Colonel Somerset?—Yes.

136. What lapse of time was there?—I drove them out in November, and Colonel Somerset returned in January. I fancy it must have been in February that the Caffres came back, but subsequently to that they were driven back again. The case is this, Colonel Somerset, who is in great favour with the Caffres, his father, Lord Charles, having been the governor, and being there ever since he was a very young man, he has got extraordinary influence among the Caffres. Whether he wrote to Sir Benjamin D'Urban, or got his sanction or not, I know not; but the Caffres were permitted to return without the civil commissioner having been consulted. This gave great umbrage to the civil authorities.

137. Previous to leaving the frontier, was any order promulgated on the subject of not firing on the Caffres?—Yes.

138. Were any of your regiments accused of having fired on the Caffres after this order?—I was not present, but there was an order, and a party of our regiment sent to trace cattle stolen by Caffres; they overtook those stolen cattle; the cattle were identified by the farmer who was with them; they took possession of those cattle and were driving them back, when a Caffre seized hold of the bridle of one of the mounted men, and was in the act of stabbing him when the man shot him. He was afterwards confined in gaol, and more than once ordered from Fort Beaufort to Graham's-town, a distance of 60 miles, to be examined on the subject by the civil authorities.

139. Were the Caffres peaceably inclined when you left the frontier?—On my

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arrival in Cape-town, Sir Benjamin D'Urban did me the honour to consult me about Caffre matters; I then pointed out the absolute necessity of his speedy appearance on the frontier. I saw, and had every reason to believe, that there was a great deal of discontent.

140. To what cause was that discontent to be ascribed?—A great number of causes, all tending to the same thing. In the first place, some of the missionaries had taken it into their heads to impress on the Caffres their own excessive want of good treatment by the colonists; or at least, that the chiefs were much greater men than any of those people sent by Government to treat with them on the frontier; and that they were not treated as such, and would best consult their own dignity by opposing, in all possible ways, the carrying into effect the views of Government.

141. Do you know of your own knowledge that the missionaries had stirred up this spirit among the Caffres?—Not from my own observation, but from many people who had better opportunities than I had of judging. A Caffre told me once myself that I was not so great a man as he was; that I was merely sent there by a Government, but that he was a chief himself.

142. Do you think that was an improper idea for him to entertain?—I think it was; it made him very backward in obeying the orders of people he looked upon as inferiors. A Caffre cannot form the idea that, because I am placed there by Government, I should not be as great a man as the Government; he cannot fancy anything of that sort. You cannot persuade him that a man sent there by Government ought not to be as great a man as the Government itself.

143. Does it appear that these missionaries persuaded them to that?—On several occasions the missionaries persuaded them that they were much greater men than the officers who are sent out to be with them.

144. Be good enough to state those instances?—In one instance I was sent to a missionary establishment, I think a Mr. Ross was the missionary; I was ordered to surprise kraals to which cattle had been traced; I got there, and found the kraal was quite deserted. I inquired of this missionary what had become of the inhabitants; he denied knowing anything about it, and appeared to be a good deal annoyed at my having come there. I questioned him very closely; he denied all knowledge of the Caffres, or of the means of my coming there having been found out. I subsequently ascertained that the chief after whom I was sent was hidden under this missionary's bed.

145. How did you hear that?—From a Caffre interpreter, who saw him.

146. And you believe that this missionary, Mr. Ross, really intended to deceive you in the transaction?—I believe so. The great hold they have on the Caffres makes them look up to them for support and protection. His having protected the chief on that occasion gave him a great weight among the Caffres. One can hardly blame the missionaries altogether on these points, because their remaining among the Caffres depends greatly on the terms they keep with them. They must be friendly, or they would, of course, not treat them kindly. That is one of the cases that came under my own personal observation, where I knew the missionary deceived me.

147. But the circumstance of the missionary having deceived you, does that prove that they had endeavoured to excite dissatisfaction in the minds of the Caffres?—I cannot, from my own observation, say that.

148. Was Sir Benjamin D'Urban anxious to take the first opportunity of visiting the frontier?—He expressed himself so.

149. As to Macomo's tribe, did they reap the benefit of that harvest when they returned in January?—No, I think not; the corn would not be ripe till March.

150. You suppose the whole of that was lost?—A great part of that.

151. They came in February?—Yes.

152. When were they driven out?—By return of post. Colonel Somerset allowed them to come in, and, upon a representation to the civil commissioners, they were ordered back again.

153. Considering the distress to which they were reduced in abandoning their crops which were growing, and going to a country as naked as a parade, and considering these repeated changes, at one time admitted and then turned out, admitted again and then turned out; do you not think we may trace the dissatisfaction which has prevailed in the minds of the Caffres at a subsequent period in a considerable measure to that treatment?—Certainly.

154. Do you believe that one of the causes of the dissatisfaction, and subsequently of the invasion of the Caffres, has not originated from this system, or rather from this want of system?—I do.

155. Do you believe that a system of a more settled and fixed description would have tended to promote peace better than this various course of proceeding with the Caffres?—Most certainly.

156. Did you ever understand that the Commissioners of Inquiry had recommended the appointment of a lieutenant-governor for the eastern frontier?—I understood so; there was one appointed.

157. Who was it that was appointed?—General Bourke, who is now in New South Wales.

158. In your opinion, had that appointment taken place?—He went out, but as Lord Charles Somerset was about to return, he never went further than Capetown.

159. Had that appointment taken place, with full authority to treat with the Caffres on all occasions, and to establish a well-defined system, would it in your opinion have conduced to the continuance of a friendly intercourse with the Caffres?—I decidedly think so.

160. Since you have been on the frontier, has your corps always been of the same strength?—Never so weak as now.

161. What was the cause of the reduction of your force?—The principal cause was this, the expense of the commando had been such in 1819, that the colony became nearly a bankrupt, and that I believe was one of the chief causes of the reduction.

162. Is there any other regiment quartered on the frontier besides yours?—The 75th regiment was there when I came away; there has been generally European troops there.

163. Are the infantry of any use in the pursuit of Caffres who have stolen cattle from the frontier?—They are of but little use; they cannot follow the cattle or pick up the traces as the natives can.

164. How are your horses fed?—We are allowed a ration of barley and hay.

165. What is the usual cost of a horse?—The Government allowed us 15*l.* for the purchase of a horse, but they are generally bought cheaper.

166. Then the cost is but small, and the maintenance is but small?—Yes.

167. What is the cost of a soldier's ration on the frontier?—The soldiers pay the same as elsewhere; but the Government pay a fraction under 2*d.*, about 1½*d.* and a fraction.

168. Was the trade of the Caffres on the increase the latter part of the time that you were there?—I think so.

169. Do you think that if we could establish an amicable intercourse with the Caffres, that that trade would be prosecuted to considerable advantage?—If you could put it on such a footing that the Caffre would be the gainer, or believe that he would be a gainer, it would answer; but, unless he fancied that he would be a gainer himself, he would not keep the compact with you; so long as it is of advantage to him to buy on good terms, he would; but the moment he fancied it was not, he would not.

170. You say that you have known your officers called out four times in a week, suppose we say eight times in a fortnight; can you tell me the proportion, on an average, of how many of those are commandos, and how many patrols?—I mean the patrols; we have been out three months together on a commando; I have been out from July until October.

171. According to your evidence, I understand a patrol to be a small commando?—Yes; at one time the civil authorities had nothing to do with commandos.

172. In what way do the missionaries live in regard to Caffres; do they live amongst them?—Yes.

173. And live in houses?—They build houses themselves; the missionaries are generally mechanics, blacksmiths, and all those sort of things; they build houses, and they live among the Caffres.

174. And supported by their industry?—By the different missionary societies in England.

175. In no degree by their industry?—I believe not.

176. Since you have been in the frontier, what has been the conduct generally of the colonist towards the Caffre, as far as you have been able to judge?—With

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few exceptions very proper, I think; as I said before, there have been some exceptions, but very few in the number of years I have been there; I have seldom found the colonist was the aggressor.

177. Do you think that the missionaries have improved the character of the Caffres?—Not in the least; with the exception of Kama and one or two of his tribe, I have not seen the slightest improvement by the missionaries among them; in fact, in the neighbourhood of Chumie, where the great missionary station is, they are the worst behaved Caffres of the whole tribe.

178. From 1819 to 1823; we do not inquire at all into any intermediate conduct of the Caffres or the Boors in that period; if I recollect right, it has been stated to me when I have been at the Cape, that for two years after the irruption of the Caffres there, they were peaceable?—Yes, after the punishment they received, they were; several years after that we never heard of the Caffres.

179. During that period how were the commercial concerns between the colonists and the Caffres conducted?—There was but little carried on then; the traders had then barely commenced.

180. Were there not monthly fairs established there by Sir Rufane Donkin?—Sir Rufane Donkin established a fair at Fort Wiltshire, a monthly or a weekly fair, I forget which. During the time Colonel Somerset was in England, Sir Rufane Donkin established a fair; on the return of Lord Charles, it was done away with.

181. On the return of Lord Charles, these fairs were abandoned and done away with. Did they not serve to introduce, as it were, the colonists and the Caffres together, and bring about a friendly intercourse by means of commercial intercourse?—Certainly.

182. Then they were abandoned two years afterwards; that would lead us only from 1819 to about 1822; still we have got 11 years. What took place during that period?—In 1823, 7,000 head of cattle were taken from Macomo, as I have mentioned.

183. And then from that period up to 1833, 10 years?—At the end of 1824 I returned to England, and was absent two years; in 1825 and 1826 I was in England; I embarked on the last day of March 1825.

184. Will you allow me to ask you whether there has been any difference in the conduct of the Caffres, or in that part of the territory inhabited by those on the particular frontier?—Those Caffres I have mentioned as belonging to Cobus Congo certainly have improved.

185. I think one observation that you made was, that the missionaries were mechanics, and built their own houses?—Yes.

186. The Moravians have no mission I think in Caffreland?—They have, at a place called Klip Plaat River.

187. Were you ever at that missionary settlement?—I have.

188. Had they collected Hottentots there or Caffres?—A tribe of Caffres called Tambookies.

189. And that was improving very much?—It was quite in its infancy when I was there, in 1828.

190. Now, I would ask you whether the Hottentots were generally considered to be the aborigines of all the territory occupied by Great Britain in Southern Africa?—As far as the Great Fish River, I have always understood.

191. As far as the Great Fish River eastward?—Yes.

192. Then it is considered that the eastern boundary of the Cape of Good Hope is the Great Fish River?—Up to 1811 the Caffres had possession of the whole of Albany. In 1811 a large force was sent from Cape-town, under Colonel Graham, and were about a year in clearing that country. A great many lives were lost on both sides.

193. What was the process of clearing?—Merely sending in small detachments, and constantly harassing the Caffres.

194. I think you said that nothing but verbal treaties had been entered into with the natives at any time?—I believe all verbal.

195. You do not know any instance in which a written agreement was entered into?—I do not.

196. The Hottentots, up to the time of the conquest of the Cape of Good Hope by the British, were considered always to be a decreasing body. I would ask you whether, in consequence of the better system of treatment of the English, and particularly

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ticularly by the Moravian missionaries, you do not consider but that they are rather more on the increase?—Not that I have been able to ascertain.

197. How was that clearing of the country effected? You gave an answer, but that answer was rather a general one; I wish to have it a little more particular; you know, I suppose, that it was ordered that the country should be cleared of the Caffres?—A military force was sent for that purpose under Colonel Graham, I suppose about 1,500 British troops, and about the same number of colonists; it was during that period that a magistrate called Stockenstrom was murdered.

198. What extent of country was cleared in that way?—The whole extent of the country between the Sundes River and the Great Fish River.

199. Can you form any estimate of the number of lives that were lost in that operation?—No, I cannot at present; I believe there were numbers of Caffres shot.

200. I think I understood you to say that when you first went, a great part of the colony now British was then occupied by the Caffres?—Yes, the country from the Great Fish River as far as the Sundes River, which is a very wide space, I should fancy 60 miles broad.

201. And what length?—Hardly so much as 60 miles.

202. Since your knowledge of the colony, the Caffres have been removed from one space 50 miles broad and 50 miles long, and from another space 18 miles broad and 60 miles long?—Exactly so.

203. But then it is always to be understood that the Caffres forcibly intruded themselves into the territory?—Yes; there was a story, but how far it is true I do not know, that during a former time the Caffres had received this country for a certain number of head of cattle; that the magistrates had entered into a treaty as to those cattle, and actually sold to them this country.

204. As far as you know, this territory was originally occupied by the Caffres?—Which territory?

205. These two portions of 40 miles square?—I am certain they were occupied by the Caffres, but how they got possession of them I do not know.

206. You do not know what their title was, but there they were as the possessors of it when you went?—Yes.

207. I believe it was during your period that the Boors occupied this as well as Caffres?—The Boors live among the Caffres.

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*Lunæ, 3° die Augusti*, 1835.

## THOMAS FOWELL BUXTON, ESQ., IN THE CHAIR.

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Archdeacon *Broughton*, called in; and Examined.

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208. YOU are Archdeacon of New South Wales?—Yes.

209. Pray how long have you occupied that situation?—I was appointed in February 1829.

210. Did you occupy a clerical situation in the colony before that period?—No.

211. You never were in the colony, then, before?—I never left England until that time.

212. In the course of your avocation have you given your attention to the condition of the aborigines of New South Wales?—I have, as far as circumstances admit, both in New South Wales and Van Diemen's Land, which compose the archdeaconry; the two colonies.

213. Will you have the goodness to give us some account of the present condition of the aborigines?—It would be better perhaps to take the two colonies separate, as there are some distinctions. I will begin with New South Wales. Both are included in the archdeaconry of New South Wales.

214. We will take this of Sydney first?—They are in a state which I consider one of extreme degradation and ignorance; they are, in fact, in a situation much inferior to what I supposed them to have been before they had any communication with Europe.



215. What

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215. What is their number at and in the vicinity of Sydney?—I have scarcely the means of telling the absolute number; I have seen considerable quantities of them collected, some hundreds of them I may say, at the annual assembly which the governor holds of the tribes; and in travelling through the different parts of the country I have seen many hundreds more; but as to the positive number, I could not give any other than a very vague guess. I think Captain Strutt mentioned having fallen in with, as he estimates, 4,000; but that was in parts of the country not occupied by Europeans.

216. As far as our government extends, what is your estimate of their number?—I should think, speaking from my own experience, the numbers that I have seen may have been 1,000 or 1,500; but I do not conceive any means exist of knowing the actual numbers in the colony.

217. Are those aborigines who are in the vicinity of Sydney employed in agriculture, or in any useful occupation in domestic service?—In the vicinity of Sydney I should say not; they appear to lead an idle vagrant life, subsisting on casual donations and fishing; they sell the fish and procure money by means of the sale of their fish, and beg, probably steal, if they have the opportunity; but they are not employed in the vicinity of Sydney, generally speaking; in the more rural parts of the country they can be occasionally made to work for a short time at any season of excitement, as I may call it, such as harvest or sheep-shearing, where an effort is to be made for a few days, and they have an immediate reward; but, generally speaking, you cannot induce them to work regularly.

218. Have any efforts been made to ameliorate their condition in a social and religious point of view; if so, be pleased to state what those measures are?—During the administration of Governor M'Quarrie, he did attempt to settle them on a portion of land which was set apart for that purpose, and endeavoured to instruct them in reading and some degree of religious knowledge, but the institution was never very successful, and before I came into the colony it had been entirely given up.

219. And not resumed?—It was not resumed. I have with me an extract from the instructions of the King to the governor, which contains a passage that probably the Committee might think proper to hear.

220. Will you read it?—"And it is our further will and pleasure that you do to the utmost of your power promote religion and education among the native inhabitants of our said territory, or of the lands and islands thereto adjoining; and that you do especially take care to protect them in their persons and in the free enjoyment of their possessions, and that you do by all lawful means prevent and restrain all violence and injustice which may in any manner be practised or attempted against them; and that you take such measures as may appear to you, with the advice of our said archdeacon, to be necessary for their conversion to the Christian faith, and for their advancement in civilization." The instructions are dated in July 1825. M'Quarrie's scheme had failed; those were the instructions under which I and my predecessor acted.

221. If I understand you rightly, those efforts had been relinquished in 1829?—Previously to that.

222. Was that because they appeared to be hopeless?—I conceive they appeared to be hopeless; not to produce any effect equivalent with the expense which had been incurred.

223. Was that from the dull, hardened disposition of these aborigines?—They are not of a dull disposition; they are a quick, intelligent people; but they have, I may say, no wants; you find it impossible to excite any want in them which you can gratify, and therefore they have no inducement to remain under a state of restraint, nor are they ever willing to leave their children.

224. Have you found it absolutely impossible to instil into their minds any adequate idea of the Deity, and of Christianity?—Of Christianity, certainly, I should say; of the Deity they may have some vague notion. I should state that in consequence of those instructions, in the first charge which I delivered to the clergy I adverted to the subject at considerable length, and made an effort to proceed; and I have some particulars which, if the Committee would desire, I would state, of what has been going on.

225. Is the Committee to understand that these unfortunate persons are entirely abandoned to that ignorance and degradation?—With a very trifling exception indeed, they are.

226. Will you have the kindness to be more specific in describing the attempts which

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which have been made to improve their condition?—Perhaps I might relate what I know to have happened under my predecessor.

227. Yes?—I will take it in the order of time. Archdeacon Scott, who preceded me in the office, always bestowed a considerable degree of attention to the subject; and with a view of obtaining a more correct knowledge of the wants of the people, and the means that might be employed for their benefit, he directed a gentleman who is now in the colony, an officer in the navy, to undertake an expedition throughout several parts of the country, with a view of inquiring into their circumstances. I unfortunately have not in this country the papers which that gentleman drew up, stating the result of his expedition, but I may briefly say that he found that the statements which had been made of their having received instruction to any extent worth noticing, were quite groundless; they were in a state of the most perfect ignorance throughout. Upon his return, the question of expense appeared to interfere greatly with any immediate measure being taken, and it was determined, in order to prevent the subject from altogether escaping notice, and doing at the same time what was possible, that a certain number of children should be placed under the charge of one of the chaplains (the Rev. Mr. Cartwright), the expense of whose maintenance was to be paid by the church and school corporation. I think there were about six children so placed, whom I have frequently seen and examined, and their progress and acquirements would lead me to say that these people are by no means unsusceptible of improvement, if only they could be induced to remain stationary and apply their minds to the subject proposed to them. That was the state of affairs when I arrived in the colony. On holding my first visitation, I alluded to the subject, and I have a copy of the charge.

228. Have the goodness to put in such extracts of that charge as bear upon the point that is under consideration.

[*The following extract was then put in and read:*]

"The last subject with which I shall at present detain you is, the condition of the native or aboriginal inhabitants of this country. It is an awful, it is even an appalling consideration, that after an intercourse of nearly half a century with a Christian people, these hapless human beings continue to this day in their original benighted and degraded state. I may even proceed farther so far as to express my fears that our settlement in their country has even deteriorated a condition of existence, than which before our interference nothing more miserable could easily be conceived. While, as the contagion of European intercourse has extended itself among them, they gradually lose the better properties of their own character, they appear in exchange to acquire none but the most objectionable and degrading of ours. The most revolting spectacle which presents itself to a stranger newly arriving on these shores, is the sight of their natural occupants reduced to a state of worse than barbarian wildness, by that fondness for intoxicating liquors which they imbibed from our example, and in reckless addiction to which they are still encouraged by many whose superiority in knowledge ought to have been directed to some less unchristian purpose. But can we satisfy ourselves, my brethren, that we have fulfilled all our duty, while such a spectacle is exhibited before us? Shall we look on and see them perish without so much as an effort for their preservation? Natural and much more Christian equity points out that, as in the occupation of their soil we are partakers of their worldly things, so in justice should they be of our spiritual. As through the tender mercy of our God the dayspring from on high has visited us, we are solemnly engaged to impart to them the glorious beams of Gospel truth, to guide their feet into the way of peace. I am aware of attempts having been undertaken with this view, and of their abandonment from a sense of existing difficulties and despair of final success; but from the very nature of the undertaking, obstacles were to be anticipated. Every advancement of the Christian religion, from its first origin to this day, has been effected in opposition to difficulties, which in a natural sense might be termed insuperable; its excellency, and its derivation from a heavenly source, have been best demonstrated by surmounting such opposition. It may be considered, after all, a very doubtful question, whether the erratic habits and inconsiderate disposition of the native tribes are in reality more adverse to the reception of Christianity than those propensities which its earliest preachers had to encounter in the nations they addressed, the obstinate superstition of the Jew and the philosophic arrogance of the Gentile. But suppose them to be so, what shall we say?

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shall we therefore desist? Unhesitatingly, I answer No. Persevere, as you regard the honour of God, and as you value the souls of these your hopeless and unhappy fellow-creatures; the very ground which we tread upon teaches us this lesson. What does it exhibit but the sublime spectacle of the triumph of civilized man over the ruggedness of the physical world? And shall the Christian philanthropist despair of having in God's good time an equal right to rejoice in the success of his exertions to produce a moral reform, and by spiritual cultivation to reclaim that human wilderness which extends on every side of us? The feeling which I derive from difficulties in such a case, and would communicate to those around me, is, animation, not despair. God works in every dispensation for his own glory, and in his own fore-ordained times and seasons; and his purpose in permitting the existence of such difficulties may be to furnish an immediate exercise of our faith and patience, and in their final subjugation a clearer manifestation of his own omnipotence. As a believer in the Scriptures, which assure us that 'out of every nation and kindred and tongue and people,' the worshippers of the Lamb shall proceed, I cannot be persuaded that there is one nation irreversibly excluded from a share of that privilege; I cannot be persuaded that when the religion of Christ is solemnly propounded as 'the power of God and the wisdom of God,' here is an obstacle to its progress which Eternal Wisdom did not foresee, and Infinite Power cannot remove; or that when we have a plain command to 'preach the Gospel to every creature,' here is an entire race of immortal and accountable creatures, with respect to whom we may dispense with obedience to the injunction; the duty is indeed so manifest, that I forbear any further to insist upon it. The best mode of proceeding may require more extended consideration, and our future attempts may be aided towards a prosperous issue by observation on the causes of former failure. I hesitate not, however, to express my desire that as the Church of England is endowed with pre-eminent advantages here, she should justify the distinction by leading the way as a missionary, and by becoming the mother of missionaries who should attempt the recovery of this unhappy generation. It is with God alone to give the desired increase. In due time we shall reap, if we faint not, and under Him I shall look to you, my reverend brethren, when the suitable period arrives, as to the instruments by whose aid this design of genuine love may be carried, we hope, into successful operation."

I soon after that addressed a circular letter to the clergy, requesting them to furnish me with any information of the actual state of the natives, and the means which they recommended or thought likely to be effectual for their civilization and conversion to Christianity. I received separate answers from each of the clergy, which I regret not having in this country. The statement of what had occurred was certainly very far from encouraging.

229. But we are to understand that systematic attempts were made to create some impression?—They had been made; but I should say that of all the returns which were made to me, I found but one instance in which I could think that there had been an actual belief of Christianity imparted, and that was to an individual who had been brought up in a school with English boys, not in the native state.

230. Out of how many returns?—I had returns from about 17 individuals. The opinion generally expressed, and which has since been confirmed by my own observation, is, that the want of fixed attention is the great obstacle we have to contend with; the impossibility of inducing them to settle in one place, or to attend to one subject.

231. What attempts have been made to allure them to civilized life?—I believe that any attempt to allure them permanently into a civilized life would be utterly ineffectual, for I have heard of more than one instance of those who have for a time been enjoying the comforts, as we consider them, of civilization, who by preference afterwards threw off all that, and went into their state of savage life in the woods.

232. Those who reside at Sydney or in its immediate vicinity, have they any property, properly so called?—No property; they wear a portion of clothing, which those in the interior can scarcely be said to do.

233. Nothing like assignments of land have been made to them?—They were made by Governor M'Quarrie, but it was found impossible to attach them to the soil.

234. They were totally averse to cultivating them?—Quite averse to permanent labour of any sort. I should say, that they have a notion among themselves of certain

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certain portions of the country belonging to their own particular tribe; they have frequently said to me that such a part was their property, but that is all assigned now to Europeans.

235. There is nothing like villages?—They have not the most distant conception of a house; they never live in a house; they have no clothing nor houses, nor occupation of any kind, except that of hunting.

236. Do they not pretend to worship a Deity?—I think they have a notion of a spirit, but it is possible only of one that does mischief to them.

237. They have not idols, have they?—No; they have a kind of charm among them, which they appear to attach great importance to, and never show it; they scruple very much to show it, but, from description, I have understood it is a piece of quartz; I am not quite aware that it is that, but it is something similar to glass, which they carry in a net, and appears, as I should say, to operate as a charm.

238. Do they use it also for the cure of diseases?—Certainly; the cure of diseases they attempt by mystical rites.

239. We clearly understand that you ascribe their present barbarism not to any unconquerable dullness of intellect, but merely to their love of erratic liberty?—I am perfectly of that opinion, because I think their intellect, when it is exercised, is very acute upon subjects that they choose to apply it to; and the children whom I mentioned, I have been informed by Mr. Cartwright, and which from my own observation I conceive to be the case, that they were quite as teachable as other children; they learned to repeat passages and collects from the Prayer Book, and things of that kind, quite as perfect as any English children that I have seen of the same age.

240. When we first formed our settlement at Sydney, were the coasts occupied by these aborigines?—The country was very imperfectly peopled; the sea-coast was occupied as Captain Cook mentions when he was there.

241. Was the consequence of our settlement to drive them away from possessions which they had previously occupied?—Certainly it was, excepting that they had full liberty to remain if they chose; but the effect of our settlement in the country is to drive the kangaroo away, which is their principal means of subsistence. That is an animal that disappears immediately wherever there is a settled habitation of men. They still haunt and continue in their natural places, portions belonging to other tribes; they certainly return to it, and seem to linger about it; but they have no settled place, properly so called; it is all occupied by Europeans.

242. Then they have gradually retired before the progress of our civilization?—I am afraid they do not so much retire as decay; they seem to me to wear out, from some cause; wherever Europeans meet with them, they appear to wear out, and gradually to decay; they diminish in numbers.

243. Can you explain more specifically that cause?—The tribe is gradually reduced from its original number to a much smaller number; it is a continual process of decay I should think, and it leads me to apprehend, that within a very limited period, those who are very much in contact with Europeans will be utterly extinct; I will not say exterminated, but they will be extinct.

244. Is this occasioned by the Europeans interfering with their usual habits, and depriving them of their means of hunting, and so on, or by direct ill treatment?—Less by ill treatment than by depriving them of the means of subsistence; because, wherever the country is cultivated, the kangaroo disappears; and another very serious cause is the introduction of intoxicating liquors, which destroy great numbers of them.

245. Then, in fact, our contact with the natives has been productive of great evil to them?—Without any absolute ill usage of them, it certainly does appear to affect them very injuriously; without outrage practised against them. I do not attribute it to actual destruction of them by force, but there is something in our manner and state of society which they appear to decay before.

246. Is that answer applicable to their temporal condition or their moral and religious character, or both?—They appear actually to vanish from the face of the earth; they diminish in number; and, as I mentioned just now, I think it must in a few years occasion them to be utterly extinct, wherever Europeans are thickly settled.

247. Then I would ask you, whether you have a decided opinion upon the question of the general influence of European contact on the moral character and religious character, if I may use the expression, of the natives?—Upon their moral

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character I am afraid it acts injuriously; religious character they have none, and certainly have not acquired any.

248. It has a tendency to quicken their understanding?—It gives them a greater range of objects to attend to, but upon points which they had attended to previously, I think they were quite as quick as they are now.

249. Still the effect of presenting more objects must be in general to stimulate the faculties?—Unquestionably; it causes more excitement, and produces more thoughts, I apprehend, in the man's mind than he had before, in proportion to the number of objects that he is made familiar with.

250. Notwithstanding which, it is your decided opinion that they are more depraved?—I have scarcely comparative means of ascertaining what they were before our intercourse with them; but, as far as I can judge, I think those who are most in contact with Europeans are the most depraved.

251. Does not the opportunity of observing the difference between those who are immediately in contact and those who are little in contact, enable you to form an opinion?—That leads me to think that our intercourse has been highly injurious to them.

252. But still the natural consequence of it is the introduction of Europeans?—It appears a natural consequence, more than any I could distinctly describe as operating, with the exception of drunkenness.

253. Have they anything like marriage between themselves?—They certainly have marriage, the distinction of husband and wife; I believe there are polygamists.

254. Do you happen to know whether they show any degree of fidelity in such contracts as may be formed?—I fear there are instances of the white people seducing their wives from them; that I have no doubt occurs; but how far it may be observed among themselves, I have not the means of judging very well.

255. Are you aware whether they have any institutions of property?—Not in our sense of property, excepting the weapons which they carry in their hands; I presume they are the property of the persons who carry them.

256. No accumulation of any kind?—None whatever; they are in a constant state of motion; they have no storehouses in which to lay up property.

257. Have they carriages of any kind?—None.

258. Do they use beasts of burthen?—There is no beast of burthen natural to the country; they never saw a beast of burthen till horses were introduced.

259. Can you account for this decrease of them, and this approximation to extinction, from any cause beyond that of the introduction of spirits?—I think their means of subsistence is rendered more difficult; what may be considered their natural food, the food which they depend upon in a natural state, is certainly diminished; all wild animals which they found in the woods are entirely destroyed when the woods themselves are cleared away.

260. Then do you think that their physical strength is weakened, and their natural life shortened by the fact of our being settled amongst them?—So far as there is a scarcity of food among them, and greater plenty of intoxicating liquors, those two causes I think may account for part of the decay.

261. Exclusive of religious advantages, can you suggest any mode by which their comforts can be enlarged, and their general condition improved?—I have often put the question to them, what they would like to have, and inquired why they would not remain in houses which might be built for them, and cultivate the land? but their universal reply is, that they like the bush best; indeed, I should apprehend that in point of comfort, if they have a sufficiency of food only, they are not deficient; they have no want apparently; they do not desire anything that I have, if they have enough food. The climate is such that they do not require clothing or dwelling-places, and the gratification that they seem to enjoy most is that of wandering over the country, and hunting wherever they have the opportunity.

262. Do wars ever take place between the tribes?—Yes; they fight very maliciously.

263. Have they any notion of operations of war?—Not very materially.

264. What weapons do they use?—Their weapons are not such as produce great slaughter; they have a long spear, and they throw it with considerable force by means of a stick which they adapt to it.

265. Is the spear pointed with metal?—No, hardened.

266. Are they composed of one tribe, or divided into sections?—A number of tribes; each district apparently had its distinct tribe.

267. Are

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267. Are their haunts distinct?—Not at all; I do not perceive any difference of habit, or peculiarity of any kind.

268. Is their language distinct?—I have some hesitation in saying whether their language is altogether the same; it appears to be a variety of dialects, at all events. One of the earlier narrators of the state of the colony, Colonel Finch, of the marines, mentions, which I have found to be the case, that a tribe from one part of the country on coming into conversation with the tribe of another part, was not understood by them; but after a little comparison of what they have to say, they appear to find out that they have a common language, but with certain peculiarities which at first they do not comprehend.

269. What are their probable grounds of quarrel; because they appear to have no territory of their own, and no property?—It is anger, excited by various causes, which leads them to fight.

270. Principally by liquor?—No; I think that where they are out of the reach of liquor, they are given to fight, either as individuals or as tribes; unquestionably, when they are under the influence of liquor they fight in a much more savage and determined manner.

271. Had they any intoxicating liquor of any kind before its introduction by Europeans?—I conceive they had no liquor before our arrival.

272. Are we to understand that the most acceptable boon to the natives would be to be left in their barbarism and independence?—I have not a doubt of it.

273. As long as they are not injured, they are satisfied with living unmolested?—If left unmolested with the means of hunting, they have no other desire.

274. But our intrusion has interfered with their scope of hunting?—Cultivated land is certainly quite destructive of it

275. Are you aware with what feelings generally they regard the Europeans; whether the predominant sentiment is dislike or the reverse?—From experience, I can say that they never generally dislike Europeans, as such, unless individually offended.

276. Do they consider them, upon the whole, as being benefactors?—I should doubt whether they have ever made the comparison. They have a conception of our having excluded them from what was their original property. Certainly that idea is prevalent among them.

277. Does not that produce a feeling of indignation?—I think not. I have found them always exceedingly obliging, good tempered, and quite satisfied with any little benefit you might confer on them.

278. Are they susceptible of gratitude?—I think they are always volatile. There is no teaching them, by any means, so as to break through that general attraction which their native state has for them.

279. Are they very mercenary in their disposition?—Many of them, I think, are.

280. Is money circulated among them at all?—No, I do not think it circulates among them; if they obtained money they would purchase what they required.

281. The number you are not able to state, but still they are scattered all over the country; very thinly originally?—They were originally very thinly scattered; at present they are more thinly scattered over the parts that we have fully occupied; but our station now extends to a very great distance from Sydney, about 300 or 400 miles, and they are to be met with within the whole circuit of our occupation, wherever you go by land. If you consider their location to be fixed upon spots; a most desirable object, if attainable. I am myself rather disposed to think that, with a view to their conversion to Christianity, we should not interfere with that. The general process hitherto has been, to try to fix them to a spot, and to abandon their original habits. I am inclined to reverse the process, and to endeavour to give them knowledge of religion, and make that the groundwork of better habits of life.

282. You would rather civilize by Christianity than prepare them by civilization?—That is, upon the best consideration I have been able to give it, I should prefer that course being taken.

283. And you consider, probably, that your view of that point is strengthened by the failure of attempts to locate them?—The failure of preceding attempts it was that set me upon considering, as I mentioned in the extract which I read, how you might improve them.

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284. Have you any additional information to communicate upon any specific measure, which it is advisable to adopt?—I could merely state what had been done in consequence of that.

285. You did refer, I think, to the reports?—There is at this time two attempts making, under the sanction of Government, for their civilization, if it would be the wish of the Committee to hear it.

286. Have the goodness to describe any systematic arrangement which is now in progress to improve the state and condition of the aborigines?—With the hope of christianizing the natives of the country?

287. Yes.—There was some years ago a mission established by the London Missionary Society, and placed under the care of a Mr. Threlkeld, who went to reside in a district which was considered favourable for the purpose, as being distinct from European settlements and much frequented by the natives. I have some of the reports which he published; I think the first is dated 1825. He continued so occupied until about the year 1829, when some dispute took place between him and the directors of the London Missionary Society, in consequence of which they abandoned the mission, and a portion of the territory which had been conveyed to them was given up: so that the whole attempt was concluded as far as that society was concerned. I have the letters which I received on the subject. It appeared to me very undesirable that it should be given up, and therefore at a meeting of clergy we made a small contribution which would enable Mr. Threlkeld to proceed. For some time, his allowance from the society having been withdrawn, he was left destitute without some assistance of that kind, and in reply to the letter which I received from the governor, communicating the intelligence that the land was surrendered, and asking my opinion, I wrote the answer recommending that Mr. Threlkeld should be allowed a sum of 150 *l.* a year by the Government, with the rations which he had been in the habit of drawing for four assigned servants, and that it should be continued for five years from the 1st of July 1830. My object in that was to give him an opportunity of completing a translation of the Gospel of St. Luke, which he was then engaged on, and which I considered he might finish in the five years. This was acceded to by the Secretary of State, and Mr. Threlkeld has been so employed ever since. He has completed the translation of St. Luke, and the selection of papers which I sent to him, and a grammar of the language, which I was more anxious to have accomplished while the natives were still surviving, thinking that they might possibly be extinct some time hence. The Society for promoting Christian Knowledge placed at my disposal a sum of money, from which I appropriated a part for the printing of this grammar, and which I have been expecting and am rather surprised that it has not been received, but I have not received it.

288. Was this the first attempt at the construction of the grammar?—It was. I have here a specimen which he published a few years previously. I had a great deal of correspondence with him, on the best means of expressing words, sounds of letters, and so forth. This was quite superseded by what he is now doing, and he is now engaged in endeavouring, as far as it lies in his power, to communicate some knowledge of these subjects to the natives around him. I have a great number of his letters, which speak sometimes with a hope of success, at others he appears to have very little.

289. No grammar having existed, how has the communication between the Europeans and natives been maintained; through original English or native language?—They learn English with great readiness and speak it well. Mr. Threlkeld is the only European that I am acquainted with who has such a knowledge of their language as to be able to converse at any length with them. There is another attempt of proceeding in a different part of the country. Mr. Threlkeld is at Lake Macquarrie, which is near Newcastle, on the eastern coast. Some time afterwards there was a statement received of Government having allowed 500 *l.* annually to the Church Missionary Society, to support missionaries in the interior, at least in the colony, and I thereupon wrote a letter to General Darling, saying that under those instructions it was my duty to submit to him any opinion I might form, and recommended, on several grounds, a station called Wellington Valley to be occupied by the missionaries when they arrived. This letter states a great many very advantageous preachers for the purpose, and I have here General Darling's reply, in which he accedes to that, but states he had no official information from Government on the subject at that time. That was the state of affairs when I left the colony; after that the missionaries arrived, two clergymen; but the Church

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Missionary Society have taken a different course, and I found it was not the opinion of General Bourke. I was to communicate with him, and the duty of communicating with him rested rather with the committee than with me, therefore I lost connexion with that; but it is proceeding; they are still in the country, but I have no means of knowing what their success has been, as it was taken out of my hands by a different arrangement. That comprises the whole that has been attempted before of religious improvement.

290. And during the whole of this period you are not at all aware that one of the natives has been converted to Christianity?—I recollect, in the reply that one of the chaplains sent to me, he gave an instance which led me to think there was one, but that is a solitary instance. He had been brought up in the same school with the chaplain who sent me the information.

291. Did Mr. Threlkeld meet with any success?—I very much doubt whether Mr. Threlkeld has made any convert. I have his letters here, in which he does not intimate that he has.

292. Has he been in the habit of preaching to them?—He reads to them the translation which he has made, and they appear to have some interest in it; their questions do betray some wish perhaps for further information, but their attention is so little fixed, that I question whether, after they have left him five minutes, they think anything more about it.

293. Are there any of their children in the European schools?—On the arrival of the missionaries whom I spoke of, sent by the Church Missionary Society, those who were under Mr. Cartwright were removed to their care, and placed at Wellington Valley with them; I am not aware that there is any other. They appear very averse to parting with their children.

294. Was it among those children that the single case occurred?—No; the case I allude to was that of a young man brought up in a school at Palmata.

295. Have you not reason to believe that there are any cases of conversion to Christianity among those children who have been educated under the Church Missionary Society?—That has hardly been long enough in operation to state that effect, and, in fact, I have no means of knowing what has resulted, for since I left the colony I have not heard.

296. Have you any further information to communicate on the subject of Sydney?—I have a strong feeling of the duty of this country to use every effort that could be practicable for the improvement of those people, but I am utterly at a loss to suggest how they can be preserved from the effect of the evil example that is continually before them, where they associate with Europeans. My letter to General Darling went at great length into the question, how they could be approached at a distance from the European settlement; I think that that would be the only chance that we have.

297. Would you have any objection to put that letter in?—None whatever.

[*The following Letter was then put in:*]

"Sir, "Church Corporation House, June 14, 1831.

"His Majesty's Government having been pleased to direct that the annual sum of 500*l.* shall be granted to the Church Corporation Society from the funds of this colony, for the support of a mission among the native inhabitants, I consider it my duty to consult your Excellency on the measures proper to be adopted for carrying that design into effect. Information has been received from the directors of the above society, that the missionary selected by them to undertake this important and arduous office was to be presented to the Right Reverend the Bishop of London for ordination about Christmas last, and his arrival may therefore be very shortly expected. From anxiety to forward this work by every means in my power, as well as from considerations for the comfort of those who are to be the principals engaged in it, I offer the following suggestions to your Excellency as the basis for fixing the station to which the chief missionary, and such assistants as may accompany him, should be appointed to proceed, and which they may find prepared for them on their reaching the colony. It is not possible to entertain a doubt, that to attempt, with any hope of success, the conversion to Christianity of the unhappy people on whose behalf our exertions are called forth, it will be necessary that the essay should be made among them at a distance from the contaminating examples of profaneness and debauchery, which I lament to say an intercourse with the white population will inevitably place before their eyes. To expect that an impression should be made upon their hearts in favour of our religion, when they behold so many of its professors given up to habits of vice the most opposed to its spirit, would be to require more than the ordinary workings of Divine Providence authorize us to expect; and we should be only exposing their charitable teacher to the hopeless task of labouring in a vineyard which cannot yield a return. Our earliest expectations must be directed to those tribes who are placed beyond the reach of

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the temptations to depravity which are administered by European intercourse; and if among these Christianity happily take root, its extension from them to the more vitiated portion of their countrymen is not to be considered altogether hopeless. But our path seems plainly marked out, as leading us to those, in the first instance, among whom we should have only their own natural and native evil habits to encounter. In the second place, it would much facilitate our undertaking, if the natives whom we are to address, though exempt from the evil influence of our manners, should possess such an acquaintance with our language as to render practicable its employment as a medium of communication and intercourse. No missionary could be expected without years of close application to acquire such a familiarity with the language of the natives, as to be able to convey to them by it the instruction which it is the purpose of his going amongst them to administer: the instance of Mr. Threlkeld proves this. His industry and zeal cannot be exceeded; and yet I question whether he be even now competent to hold a lengthened conversation with the natives, even upon ordinary topics, in their own dialect. In the third place, while the interests of the missions will require the conductors of it to be advanced into the very midst of the native population, and in a manner insulated from any except occasional intercourse with Europeans, both prudence and humanity require that they should not be so exposed without such a degree of protection as may ensure security to their lives and property. The natives of this country cannot be considered as of a ferocious or sanguinary disposition; yet it is perfectly clear that where they see property, and especially food, left without protection, they will not be restrained from plundering; and the melancholy examples of Captains Logan and Barker prove that life is not always safe in their hands. Whether these murders proceeded from mere wantonness, or in revenge for injuries which other parties (evidently not the sufferers) had inflicted on the natives, these instances show that the missionaries cannot be trusted among them without some means of self-defence. Considering the subject in these several points of view, I take the liberty of suggesting to your Excellency that the station of Wellington Valley, now abandoned by Government, would be a most desirable situation for attempting the commencement of this mission. It appears, indeed, providentially to supply all the desiderata which I have enumerated as well as other recommendations. It is, in the first place, situated in the very region of the natives, being at all seasons greatly frequented by them; their intercourse with the Europeans, while the valley was occupied as a Government station, has rendered them very extensively acquainted with the English language, while the breaking up of the establishment, and the removal of those attached to it, has withdrawn the great source of apprehension as to the injurious effect of intercourse with a corrupt white population. The houses and buildings erected for Government purposes, and now standing vacant, would afford immediate accommodation to the members of the mission; and the land which has been under tillage would both furnish them with provision for their own support, and might act as inducement to some of the natives to attach themselves to agriculture more readily than if they were required to commence upon land in its natural state. So far as human resources may be concerned, there appears to be ready provided a most hopeful situation for commencing an establishment admirably calculated to promote the improvement of civilization and conversion of this race of apparent outcasts; and His Majesty's Government having decided on taking means to forward that object, which was pointed out in your Excellency's instructions (under date, ), I trust I may be justified in recommending the appropriation of Wellington Valley for the accommodation of the expected missionaries. The only question which would remain to be further considered, is that of affording the means of defence against any hostile attack. I cannot be aware how far it may be the intention of your Excellency to extend the line of military outposts; but should it be compatible with your views of general benefit to continue the occupation of Wellington as a station, I conceive that the presence of a non-commissioned officer with two or three privates, would afford all the security which could be required; and if, as I trust might be practicable, some attention could be given to character and habits in selecting men for that duty, little apprehension could be entertained of their embarrassing the missionaries and obstructing their success among the natives by any vicious example.

"I have, &c.

"*W. G. B.*"

[*The following Letter was then put in:*]

"Sir, "Government House, June 29, 1831.

"I have the honour to acknowledge the receipt of your letter of the 14th instant, on the subject of the aid to be afforded to the Church Missionary Society from the funds of this colony for the support of a mission amongst the native inhabitants, and pointing out Wellington Valley as an eligible situation for the establishment of the mission, and suggesting some arrangements which appear desirable in furtherance of the object. I have not yet been officially apprised of the intentions of His Majesty's Government on the subject of your letter; but fully concurring in your sentiments, and the expediency of the arrangements you propose, I shall most readily give effect to your wishes as soon as it may be in my power to do so.

"I have, &c.

"*R. Darling.*"

Addressed to "The Venerable the Archdeacon."

I should

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I should be glad to express my opinion of the propriety of continuing Mr. Threlkeld in that situation. The actual engagement of Government was only for five years; but I have a good opinion of him; he is a man that I think may be depended on; and it would appear to me an act of propriety to continue that payment to him. He made a report to me of his progress, of which I have two here; the last year I did not receive; and if that system were continued, I think that whatever is to be done, whatever knowledge is to be acquired of their habits, or whatever information can be communicated to them, would be; at all events, there would be a channel open.

298. Are you aware whether he is acceptable to the people among whom he is?—Very much so. They appear exceedingly attached to him; he has one I think constantly resident with him.

299. He is among wandering tribes?—They are all wanderers.

300. Does he move about?—No; he has a station to which they resort as their inclinations may lead them. I suppose there is seldom a day without his seeing some of them.

301. Of what country is he a native?—He is an Englishman, I presume.

302. Is he ordained?—He was ordained among the Dissenters; I think he is an Independent; he is a man of whom I have a very good opinion, and think he may be depended on as usefully as anybody, and in fact, has a greater acquaintance than anybody with them.

303. Does he appear to despond of ultimate success?—I think he certainly does not; he occasionally meets with circumstances that render him very doubtful whether he is doing much at present, but I think he certainly does not despond of ultimate success.

304. You mentioned one doubtful case of conversion to Christianity; it seems that he has cases of civilization. I think you said he has one person who has so far overcome that erratic disposition as to be induced to live in Wellington Valley?—That is his nominal home certainly, but from these letters it would appear that he is frequently absent, and they have a tie over each other. If the tribe summoned him, he would go at a moment's notice; nothing would detain him if sent for by his own people.

305. The information of the Committee is, that the natives of Van Diemen's Land, after opposing the Government in various struggles as far as their ability went, were ultimately removed from the main territory, Van Diemen's Land, to a place called Flinders's Island?—Yes.

306. Are you able to give the Committee any information regarding their actual condition?—The island of Van Diemen's Land was subject for a great length of time to very serious outrages on the part of the native population. When I was there on my visitation, in the early part of 1830, Colonel Arthur requested me to become chairman of the committee which investigated the subject fully, and I drew up a report which was adopted by the Committee, and afterwards laid before the Parliament. The information we obtained showed that these people had certainly, as it appeared, very great provocation; and that, on the other hand, they committed dreadful outrages, so as to make both life and property insecure in all parts of the island. Colonel Arthur then felt it his duty to resort to the most probable means of capturing them. The expedition, I may call it, was undertaken on a great extent, but was not successful. Afterwards, I believe, principally through the agency of a person named Robinson, they were induced to surrender, and were treated with great kindness, and I believe, with their own consent, were removed and placed upon the island which has been mentioned, Flinders's Island.

307. Were they removed altogether in a body, or in detachments?—In a body, I believe. They were not all captured at one time, but all taken on one occasion were removed and placed on the island.

308. Do you recollect the number?—The number was surprisingly small, considering the mischief they had done, but I think not amounting to 50. They were placed under the charge of Mr. Darling, of the 63d regiment, who took considerable pains, and with very great success, to reconcile them to their state, insomuch that I am persuaded their happiness and every point in which we could wish them well, were increased by the removal. Their life before that was miserable in the extreme, much more so I think than that of the natives of New South Wales, in consequence of the climate being more inclement; I speak only from hearsay. I learned when in Hobart Town that they had attached themselves

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to houses, and appeared to be gradually assuming a more settled form of life than we had ever seen among them while they were left quite at their own discretion.

309. What is the extent of Flinders's Island?—I am not aware.

310. Do you suppose it to be so large as to afford them the means of indulging erratic habits if they chose?—Not to a very great extent, certainly.

311. Then you consider that they are necessarily become tranquillized?—It is certainly impossible for them to make those long excursions and expeditions which they were in the habit of undertaking, when they were quite unrestricted. I met with a Mr. and Mrs. Wilkinson, who were willing to undertake the charge of proceeding to the island, and endeavouring, as far as it laid in their power, to communicate instruction to these people.

312. Where did you meet these?—In Hobart Town; they were directed to me for the purpose, and I wrote a letter to Colonel Arthur recommending his engaging them, which he acceded to.

313. Were they in connexion with the Church Missionary Society?—I am hardly aware.

314. Is there any military force stationed on the island?—I believe there are a few soldiers under the command of Mr. Darling, of the 63d.

315. No European settlers?—Not settlers. The object of the lieutenant-governor in choosing the island, was that it was quite free from any European settlement.

316. Do you suppose that the object of the governor was to restrain them from the contamination of European communication?—I think I may say his principal object in removing them was to protect European settlers from the dreadful ravages of this people; but united with that was a strong desire for the benefit of the natives themselves, on which point I know that he felt very great anxiety; but certainly he was desirous of placing them where they were. Any effort that could be made for their improvement should not be counteracted by the evil example of roving people.

317. Do these natives of Van Diemen's Land assimilate in disposition to the inhabitants of New South Wales?—I have had very limited opportunities of seeing the natives of Van Diemen's Land, inasmuch as at the time I was there they were in a state of absolute hostility to the Europeans, and the great difficulty we experienced was to come near them to open any communication with them.

318. Would you consider them more ferocious?—They show more ferocity, but then I think they have been more provoked.

319. Do you suppose them to possess equal intellect, power of comprehension?—The craft and design which they display in attacking the houses of the settlers and effecting their mischievous purposes were so great, that I think they cannot be considered deficient in power of contriving and laying a plan.

320. Under the actual circumstances of their case, do you not conceive that these aborigines who have been deported to Captain Flinders's Island, are better placed with regard to the advantage of acquiring Christianity?—Unquestionably, in every point of view I think they are more advantageously placed.

321. Then you entertain reasonable hopes of their obtaining that blessing?—I should be very unwilling not to entertain such a hope; I have no facts, but I certainly do entertain a hope that they may, under the advantages of their present situation, have their minds opened to something beyond what has hitherto been exhibited among them.

322. But you consider the prospect so promising as to render it an imperative duty upon the Government to maintain amongst them some means of accomplishing the object?—I can only express a wish that there was a person strictly and decidedly ministerial in his character. The present person, I have no doubt, is a very well-intentioned and excellent man, but he has no ministerial character at all.

323. As one part of our inquiry leads to the conduct of the European settlers to the natives, do you think on the whole the European settlers in Van Diemen's Land have treated the natives only in a way that was to be expected from them; in a retaliatory way?—I fear that the original provocation was from the Europeans to the natives. The report which I have contains it. It is a report of the Aborigines Committee, which I drew up when on a visitation in 1830, and which was afterwards presented to the House of Commons, and ordered to be printed 23 Sept. 1831.

[*The Report was handed in.*]

*Thomas Philipps*, Esq., called in; and Examined.



301*. YOU are a colonist of the Cape of Good Hope?—Yes.

302*. In which of the districts do you reside?—In the district of Albany, the most eastern of the colony.

303*. Are you in any official situation?—Yes, as justice of the peace for the district.

304*. What circumstances led you to settle there?—In the year 1819, in consequence of a vote of the House of Commons, granting a sum for the purpose, in aid of sending out settlers to that colony, I accepted the proposal made by the Colonial Office, and in January 1820 sailed for that colony, with between 4,000 and 5,000 British subjects.

305*. Were you aware, before your departure from England, in what part of the colony you would be settled?—No, we were not; it was not suffered to transpire, and we were not informed of the exact spot until our arrival in Table Bay, when we were ordered to proceed to Algoa Bay, and there to disembark.

306*. Is Albany within the ancient boundaries of the colony?—Yes, it is; the Fish River was confirmed as the boundary of the colony in the year 1780; it was originally the country of the Hottentots, who once extended even to the River Kei; but they had been driven from it by the Amakosas, commonly called Caffres, who encroached on them from the east as the Dutch did from the west.

307*. Your account of the state of the country as possessed by the natives, in some degree differs from the evidence of Captain Aitchison, which you heard on Friday last; can you explain that discrepancy?—It is very generally supposed that at one time the country beyond the Fish River, even as far as the River Kei, was the territory of the Hottentots; all the rivers at this moment are known by Hottentot names; the Kei is an Hottentot name; the Caffres call it the Aeeba. They very gradually encroached on the country for the sake of plundering and of hunting; the last stand made against them was by a tribe of Hottentots, called Gonas, west of the Fish River; but being defeated, the principal part of the tribe retired northward; part, however, became incorporated with the different tribes of Caffres, and from them their history was obtained.

The residence of the great Caffre chieftain was always east of the River Kei, until one of them bequeathed his kingdom between two favourite sons; the eldest remained east of the Kei, and the youngest took up his residence far west. From them have descended the late chiefs Hinza and Gaika.

308*. When the emigrants took possession of their location, was it inhabited or uninhabited?—It was nearly uninhabited; there were a few Dutch farmers, who had been invited to settle there after the Caffres had been driven out of it. The year before, the Government had offered by proclamation liberal grants of land to those who would settle, but as few would accept the terms, from the knowledge of what former settlers had suffered from constant hostilities with the Caffres, it was determined to put in force a plan that was recommended, of introducing British settlers.

309*. By whom was this plan first recommended?—By Colonel Collins, in 1809, who was nominated that year Commissioner for inquiring into the state of the frontier. In his report, which is before the Committee, he states that all the frontier disputes have arisen from allowing the Caffres to continue their encroachments west of the Fish River, notwithstanding the convention of 1780. He recommended their final expulsion, and peopling the country with British settlers.

310*. Does the district of Albany adjoin the Caffre territory?—Not actually, for there is a tract of country between the Fish River and the River Keiskamma, which was declared by treaty to be neutral, and neither nation to inhabit it.

311*. When and by whom was that treaty made?—By Lord Charles Somerset in 1819, then the governor of the colony. The great object to be obtained was to prevent the Caffres from secreting themselves in the fastnesses and the thickets along the Fish River, from whence they used to make secret irruptions on the colonists; but I must be allowed to say I consider there were two errors in the treaty, from whence may be traced all the subsequent disputes. In the first

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place, it was negociated with one chief, the late Gaika; whereas the tract of country declared neutral only in part belonged to him, and the remainder to three other chiefs, who were never consulted, and protested against the plan. In the second place, the treaty was verbal, and from the boundaries not being clearly defined, numerous disputes and heart-burnings have arisen.

312*. You say that the Caffres were finally driven out of the colony the year before you arrived in it; had you any intercourse with them afterwards?—All intercourse of trade was strictly forbidden; but on the acting governor, Sir Rufane Donkin, visiting the frontier in 1821, a proclamation was issued, ordering a fair to be held at the military post of Fort Willshire, in order that the Caffres might procure, by open and friendly barter, articles they were in need of, and to put a stop to the contraband trading, which was increasing, and to which the neutral country, from being uninhabited, offered great facilities.

313*. Did that fair succeed?—Not at that time; it was postponed on the return of Lord Charles Somerset.

314*. How long after your arrival were the colonists free from Caffre depredations?—For above 12 months; but at one of the farms nearest the boundary, about that time, a boy herding cattle was murdered and the cattle stolen. Gaika was informed of the circumstance, and he discovered the murderer and the cattle; the latter were restored, and the former, after confessing his crime, was strangled by order of Gaika. For some time afterwards all was quiet, but in 1822 and 1823 robberies and murders increased to a very alarming extent.

315*. To what cause do you attribute these aggressions?—To a departure from the system of claiming restitution immediately upon the event, and to a change in the military proceedings, evincing to the bad disposed of the Caffres symptoms of weakness on our part, and inability to punish their aggressions.

316*. Did you make any representation on the subject of the aggression of the Caffres to Government?—We did, both to the governor and to the commandant, Colonel Scott, of the 6th regiment; but they were unheeded, the latter declaring he had not sufficient force to demand satisfaction and restitution. At length the settlers determined on an address to Earl Bathurst, a copy of which is before the Committee, in which they expressly declare their fears that the military measures which were then pursued towards the Caffres must, in the end, tend to a war of mutual extermination, instead of, by a contrary conduct, allowing the settlers to profit by their improvement and civilization. However, in the latter end of 1823, on the removal of Colonel Scott, and the death of Colonel Fraser, Colonel Somerset became commandant, and on arriving on the frontier he arranged a commando and went into Caffreland, and took a great number of the stolen cattle, and the settlement was once more freed from Caffres.

317*. You spoke of commandos; how are they regulated? What is the difference between them and patrols?—On a complaint being made by farmers to the civil commissioner of any loss of cattle, he forwards particulars to the commandant, who forthwith orders a detachment of the Hottentot corps, called the Cape Mounted Riflemen, to follow in the track, and from the nearest kraal of Caffres they are traced to, the officer demands an equal number to that lost. Although this plan was arranged with Gaika at one time, yet it follows frequently that the innocent are punished for the guilty, for the thieves are often so adroit as to mislead their pursuers, by driving the stolen cattle direct for another tribe's kraal, and then in the night-time taking a circuitous course to their own. This is the usual practice of pursuing, and is called a patrol: but when information has reached the commandant and civil commissioner, that there are a number of stolen cattle in any particular kraal far in Caffreland, he summons a number of Dutch farmers, and with such of the military as he may require, he proceeds with them to retake the cattle; and this movement, either on a larger or smaller scale, is called a commando. In the latter case, the two authorities must write to have the consent of the governor.

318*. Did you receive any reply to the representations that were made on the part of the settlers to Earl Bathurst?—Not direct; but it was referred to His Majesty's Commissioners of Inquiry, who arrived on the frontier in the year 1824. They immediately investigated our complaints, and, in order to do away with the non-intercourse system, they suggested the putting in force the bartering fair at Fort Willshire, which was before ordered by Sir Rufane Donkin: this soon produced

produced the happiest result, being satisfactory both to the colonists and the Caffres; and when a freer trade was allowed by Sir Lowry Cole in 1829, a still more important traffic took place, which, when I left the colony last year, was mutually lucrative, and many British subjects were then living in peace and safety in the midst of Caffreland. There was, however, a dispute about that time, about the neutral country, which excited considerable alarm both to the colonists as well as Caffres.

319*. Can you state to the Committee the annual value of that trade?—I have a pamphlet, which I published on that subject, and the following is an extract:—"The Caffre trade in the first 18 months after its opening, poured native produce into Graham's-town, chiefly ivory, to the amount of 32,000 *l.*, and it has now settled down into a steady but progressive commerce to the value of 34,000 *l.* annually. The produce, besides ivory, consists of hides, horns, skins, bees'-wax, &c., and is conveyed to the colony for shipment at Algoa Bay. The traders have penetrated into the interior amongst tribes hitherto unknown, even to the tropic. They have established a considerable outlet for British manufactures in calicoes, kerseys, ironmongery, &c. &c., which they barter with the natives.

"The exports and imports of the Eastern Province, chiefly those from Albany, are as follows: from 1827, the year that Algoa Bay was first admitted to the advantage of general commerce:—

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|---|---|---|---|---|---|---|
| "1828 | - | Imports, £. | 55,201 | - - | Exports, £. | 41,290 |
| 1829 | - | — | 63,491 | - - | — | 59,300 |
| 1830 | - | — | 99,742 | - - | — | 60,828 |
| 1831 | - | — | 65,518 | - - | — | 65,351 |
| 1832 | - | — | 112,845 | - - | — | 86,931 |

"Until the settlers arrived, and the trade was opened, a few coasters only were employed; last year 2,000 tons of shipping were employed direct to England."

320*. What was the dispute you alluded to above?—At different periods the Caffres had complained of a want of grass for their cattle, and asked permission to graze in the neutral uninhabited country; this was granted on their good behaviour. Pato's tribe was allowed to come close to the Beka River, where they still remain faithful to the terms. Macomo and Tyali, sons of the late Gaika, were allowed to graze on the Kat River, but Government in 1830 ordered them to remove from thence, and settled a large body of Hottentots there, which for a time was a source of grievance; but as the two chiefs were allowed another part of the neutral land, they became satisfied. In November 1833, however, on the plea, as it was said, of stolen cattle being traced to their kraal, they were again driven back into their own territory.

321.* You spoke of the Hottentots being permanently located in the neutral country; was not that an infraction of the treaty?—This country has been as often called ceded as neutral; but I believe General Donkin, when he established the village of Fredericksburg in 1821, with the disbanded African regiment, arranged first with Gaika, who agreed that the country might be allotted to the military and British settlers, but he objected to Dutch farmers possessing any part of it; part has, however, been since allotted to the Dutch. We had not a free public press until of late years, and no written treaty being made, there are a variety of opinions on the subject of this country; it very often goes by the name of the Debate able Land.

322.* When were you in Caffreland?—I have been twice in Caffreland; the last time with Major Dundas, who was then our chief magistrate. The object was to gain a more perfect knowledge of them by personal acquaintance and inquiry. The first missionary institution we came to was Wesleyville, established by the Reverend William Shaw a few years before; here we witnessed the Caffres attending Divine service. The Chief Cobus Congo accompanied us throughout our tour from hence; we witnessed here also missionary influence in preventing a Caffre accused of witchcraft from being tortured, and probably murdered; his chief, Pato, was ill, and he was charged with having caused it. This man had become obnoxious, and was besides rich in cattle, all which would be divided amongst his accusers. From Mr. Shaw's influence over the Chief Pato, he resisted all the importunities of his councillors to allow the ceremony to proceed; many of these superstitions have since been overcome, and the Caffres have rapidly improved in many respects. The Chiefs Cobus Congo and Kama have frequently visited me and dined at my table,

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and I have met many of the other chiefs at the houses of Colonel Somerset and Major Dundas, and at public places. The last time I saw Tyali, the chief who has headed the invading Caffres, was at a public ball given by the military. My firm and decided opinion is, that had the Caffres been better understood, had the system pursued towards them by Government been less vacillating, had written treaties been made with them, and had the recommendations of the Commissioners of Inquiry been put in force, the Caffres never would have had recourse to arms, and the dreadful loss of life and property would never have occurred.

323.* What were the recommendations of the Commissioners of Inquiry?—When they visited the frontier, they devoted a considerable portion of their time to the arrangement of a better border system than that which had at an earlier period deluged the colony with blood and crime, attended also with a vast expenditure. In consideration of the seat of government being at one end of the colony, 600 miles distant from the frontier, they recommended the division of the colony into two provinces, and a lieutenant-governor with a council for the eastern, for the purpose, as they expressed in their Report laid before Parliament in May and June 1827, of "preventing embarrassments in the executive;" "the importance of applying some consistent principles to the intercourse of the colonists with the Caffres, of preventing their collision, and of checking the desultory warfare that has prevailed along a considerable portion of the boundaries of the colony." It is true that in consequence of this recommendation, General Bourke was gazetted as lieutenant-governor, and came out to the colony as such, but Lord Charles Somerset being called to England at that time, General Bourke remained at Cape Town as the *locum tenens* of Lord Charles; but on his Lordship's resignation in 1827, General Bourke was recalled, and Sir Lowry Cole became governor. Before General Bourke retired, he appointed Captain Stockenstrom as commissioner-general, with powers, it is said, equal to a lieutenant-governor, but from some causes, unexplained, he was never allowed to act, and has subsequently retired on a pension. With the exception of allowing the trading licences to be extended into Caffreland, the frontier system remains the same as it did 11 years ago, when the commissioners so strongly advised an alteration, which alteration would have saved the colonists from rapine and murder, and the government from an enormous expenditure of money.

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*Mercurii, 5° die Augusti*, 1835.

## THOMAS FOWELL BUXTON, ESQUIRE, IN THE CHAIR.

*Thomas Philipps*, Esq. called in; and further Examined.

*Thomas Philipps, Esq.*

5 August 1835.

324. WHO was commandant of the frontier when the expulsion of the chiefs took place, which you have alluded to?—Colonel England of the 75th regiment, acting in the absence of Colonel Somerset, who was in Europe.

325. Has the commandant the power of acting of himself on such occasions, or must he consult with the civil commissioner?—They must consult together, and whatever they conjointly decide upon, is forwarded to the governor at Cape-town, who issues his orders accordingly.

326. Did the colonists approve or complain of the measure?—No approval certainly, for they had no motive; on the contrary, there was a very general feeling of alarm, and particularly for the traders and their families, who up to that period were living in safety in Caffreland, by consent of the chiefs, and by licence from our authorities.

327. When did the expulsion take place, and what time the consequent invasion?—The expulsion took place in November 1833.

328. And when did the invasion?—The invasion took place about 12 months after that.

329. What

329. What do you mean by the invasion?—The inroad of the Caffres upon the settlement on the whole of the frontiers. In my opinion, this expulsion was decidedly the main foundation of the invasion, for very soon afterwards there was a very general discontent amongst the tribes. The traders were frequently ill-treated, and one of them deliberately murdered; to all with whom I conversed, it appeared impolitic and dangerous; it made such an impression on me, that on leaving the settlement two months afterwards, and meeting Colonel Somerset at Algoa Bay, on his disembarkation from England, I informed him of the circumstance, and he expressed considerable regret, and I am confident from what he said, that he would not have recommended the measure to the governor, or consented to it, had he been in the colony.

330. What do you consider was the proximate cause of their aggression?—A patrol was sent into Caffreland to recover some horses which had been stolen from the colony, but not finding them, the officer took posssession of some horned cattle. This the Caffres resented, and pursued the patrol, encouraging one another to follow, stating that they knew the soldiers dare not fire upon them; they finally succeeded in recapturing their cattle after wounding the officer. The invasion took place in a few days after, but it is since evident, from the number of new made assagais which the Caffres were armed with, that they had been many months in preparation. In this affair a Sub-Caffre-chief was killed.

331. Have you, during the time you were in Caffreland, had opportunities of ascertaining the capacity of the natives to understand and to enter into treaties and engagements?—I had many opportunities of witnessing their shrewdness and capacity, but in order to secure their fulfilment of any treaty, it must be made quite apparent to them that we possess the means and the ability to punish instanter any infraction of it. I have seen them sit in their councils, and have witnessed cleverness in their examinations, and justice in their decisions. A few years back a circumstance occurred, of which at the time I published a concise account, and as it refers to what I consider a great act of justice and propriety on the part of the Caffres, I will, if the Committee allow me, read part of it; but I must premise, that on the traders being allowed to go into Caffreland, first of all, they were not well provided with waggons to bring out the produce which they purchased, and they were in the habit of hiring waggons for that purpose. A trader, whose name I do not recollect, hired of a son-in-law of mine three waggons, oxen, and servants to conduct the waggons; this man by accident, as it is hoped, shot a Caffre; he declared he did not know the gun was loaded; but he became so alarmed that he immediately fled out of Caffreland, and my son-in-law's servants, of course alarmed also, fled likewise. On their arrival in the colony and representing what had taken place, my son-in-law, together with my eldest son, determined immediately to go into Caffreland, about 165 miles in the interior, for the purpose of claiming their property. They did not apply to Colonel Somerset for military assistance, but simply for an interpreter, and it was granted. The Caffre that was killed was a subject of the Chief Boocho, and who is brother to the great Chief Hinza, and whenever a Caffre is killed, it is in the power of the chief to demand the property as a kind of deodand, in the same light as we use it. The narrative which I published I will now read: "The conduct of Boocho, after the loss of his man, was truly laudable, and worthy of remark, as it exhibited traits that ought to have been encouraged. He no sooner heard that the trader had absconded, than he dispatched messengers to the mission village of Butterworth, recommending some trustworthy person being immediately put in charge of the property, three waggons, oxen, and a quantity of merchandize, which he had left behind; the oxen and waggons belonged to a person near Graham's-town, who accompanied by a friend, hastened to the spot to claim them. After being informed that they were in no way connected with the delinquent, excepting in having hired him the waggons, the chief received them with great kindness, and ordered a council to be held on the subject the following day. Accordingly, between 100 and 200 armed warriors attended at the time appointed, and the whole day was spent in debate, with the view apparently of securing a forfeiture of the property. Great acuteness was evinced by some of the amapagati, (that is councillors,) in endeavours to prove a connexion with the trader, and 'you belong to him; you are his servants; you are employed by him, who has killed one of our people,' were frequently reiterated. A division at length arose, which the interpreter feared would not be confined to words; happily, however, this passed off, and it was finally adjudged that the property should be immediately restored to its rightful owner." The result of this affair, as far as regards these

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these barbarous neighbours of ours, as we are taught to consider them, evinces in the strongest light the benefits of a change of system, as well as the happy effects produced by the missionary settlements amongst them. The institution of Butterworth was established about three years since, at which time Boocho was a lawless character, and, from a difference between him and Hinza (his brother), had deserted his country with his followers, and became a freebooter. On his return he gradually became more inclined to listen to reason; and now, at the moment when the death of one of his subjects might have almost warranted the seizure of the property as an indemnification, he refrains, and desires that it might be taken under the care of those who he saw were spreading peace and knowledge among them; and in the subsequent council which he had ordered to assemble, we see two individuals unattended by authority or force, surrounded by such a number of armed warriors, some of them exasperated by the loss of a friend, successfully pleading their cause, and after a thorough investigation of their claims obtaining indemnification to the fullest extent. I would likewise mention that there were five oxen missing, that had been conveyed away, and could not be found. On demanding restitution of the whole of the cattle, the chief councillor ordered an inquiry into the matter, and not being able to discover where they were, ordered a number of cattle equal in value to be given to my son-in-law to what had been taken away from him.

332. You do not at all doubt that they possess intelligence and capacity to enable them to make treaties with us?—Certainly not. I think they are perfectly able to enter into treaties, but I repeat that we must show them that we have the power of punishing any party if they do wrong.

333. There is no deficiency of understanding which should disqualify them?—Certainly not.

334. Do you find on other occasions, in which you have had intercourse with the Caffres, the same honesty as you have mentioned in that instance was exhibited?—No; I have not seen anything more in which the colony was concerned, but I have seen them decide questions among themselves, and particularly on the robbery of cattle, one tribe stealing from another.

335. You say that the licensed traders go into the Caffreland, what is the general description of those persons?—There are some of them highly respectable, but others again of rather an indifferent character.

336. Were the majority of them respectable or disreputable persons?—I think the majority of them were respectable. The licensing system does not enable the civil commissioner to have a proper knowledge of all those who do go in; for instance, a respectable person may apply for a licence, but the servants he may take in often set up for themselves afterwards, and their conduct cannot always be relied upon.

337. I suppose any person almost can obtain a licence to go into the Caffreland?—No; the civil commissioner is particularly strict in issuing his licences.

338. Who do you mean by the civil commissioner?—Captain Campbell is the civil commissioner, who is resident at Graham's-town.

339. Do you ever hear of any acts of wanton cruelty committed by those traders in their journies to the Caffreland?—I never heard of any wanton one; I have no knowledge of one; I certainly have heard of their not treating the Caffres in a proper manner, making use of vulgar expressions which the Caffres considered derogatory to their character. Caffre expressions I mean, which they considered to be bad expressions, particularly by calling them "dogs;" that is particularly objectionable to the Caffres, and some instances of that kind I have heard, but I have never heard of any gross outrage.

340. Is it your opinion that the trade with the Caffres will revive?—Yes, I have little doubt of it; but the entire system must be revised, and an agent must be appointed solely to superintend and make arrangements for the trade, which would be of the greatest advantage as well as safety to all parties concerned.

341. Is it your intention to return to the colony?—Yes, I intend to return very shortly, for I feel great confidence that the true value of the settlement will now be properly appreciated; that the often-repeated complaints of the colonists will be at length attended to; that a regular and systematic intercourse will be established with the neighbouring tribes, with whom it is the interest as well as inclination of the colonists to live on good terms.

342. Do you think, if a system of justice were established with regard to the natives,

natives, that it is likely to lead to considerable increase of trade?—I have not the least doubt of it. It was progressing most rapidly when I left.

343. You think that trade is likely to be a trade of real value?—Considerably so, to both parties.

344. Is it the desire of respectable persons in the colony, that facilities and encouragement should be given to traffic?—Unquestionably so; there is not an individual that does not wish it.

345. Do you think the system hitherto adopted with regard to the Caffres, has tended to check the increase of trade?—It has not tended to restrict it; at the same time I look upon the system adopted as tending very greatly to injure the Caffres, and annoy them, and prevent them going forward in the way they otherwise would if they were left quiet and with no cause of complaint; an undeviating and determined system is alone wanting.

346. Are all your communications with the Caffres regulated by military men?—Together with the civil commissioners; on complaint being made to the civil commissioner, he applies to the military, or upon complaint being made to the military, they apply to the civil commissioner, and whatever they decide upon for the purpose of entering or expelling, or anything of the kind, they apply to the governor besides, who can only judge according to their representations, living at such a distance as he does.

347. At what distance does the civil commissioner reside from the governor?—He resides at Graham's-town, which is close to the frontier, and 600 miles from the residence of the governor.

348. The civil commissioner acts now in the way that the landroost formerly did?—Yes; but there is much more business allotted to him than he can possibly attend to. It is impossible that he can give any great attention to what takes place out of the district; he has enough to do in it; twice a week he sits as a magistrate, to hear and determine cases, which office, until lately, occupied the whole time of another gentleman, who retired on a pension on the office being abolished by orders from England. He is the collector of the taxes, and the Government agent; we have no municipal regulations in the town, and consequently he is obliged to attend to water-courses and roads, the prisoners condemned to hard labour, and a variety of other things, which prevents him giving his attention to anything out of the district.

349. Do you think anything would tend so much to promote the trade between the Caffres and ourselves, as just treaties faithfully executed?—That is alone wanted.

350. Do you think that the Caffres, if we were to make with them fair and just treaties of this description, would be disposed to abide by them, and therefore to furnish us with assistance rather than be the aggressors?—Most undoubtedly, in the way I have before mentioned; our conduct must be kind, but determined; punishing them for their faults, and rewarding them for their observance.

351. You stated you had noticed the expulsion of the Caffres to the new governor, Sir Benjamin D'Urban; what took place upon that occasion?—In the first interview which I had with the governor on his arrival from England, his Excellency requested me to give him in writing my opinion of what could be done towards an improvement of the frontier system; in doing so, I noticed the expulsion and my fears for the consequences, but I certainly did not contemplate at the time the very extensive invasion which has since taken place. My propositions were based on the recommendation of the Commissioners of Inquiry alluded to in my former evidence, together with advising written treaties to be furnished in the English and Caffre languages, defining boundaries and laying down regulations, to be altered, as circumstances might require, at a general annual conference of all the chiefs and the colonial authorities. His Excellency stated to me that it was his intention to go up to the frontier as soon as he possibly could, but I have since heard that he was prevented going up until after the invasion took place, waiting for some public documents respecting slavery from England. I may likewise mention, that on my arrival in England I had an interview with Mr. Stanley, then Secretary for the Colonies, who expressed himself extremely anxious that the governor should have gone to the frontier, stating to me that it was his last injunction to him that he should do so; in short, I found in both the governor and Secretary of State there was a considerable degree of anxiety upon the subject of putting an end to the unpleasantness that took place constantly with the Caffres, and that the complaints we had made had begun to make an impression everywhere; and I learnt

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that previous to Sir Benjamin D'Urban leaving this country, Colonel Somerset being then in England likewise, and Colonel Bell, they had frequent conversations at the Colonial-office on the subject of the best method of putting an end to all the troubles that had continued so many years on the frontiers.

352. I have asked you whether written and just treaties would not further commerce; would it not also tend to reduce the large military expenditure we have in that colony?—We have a very considerable frontier to defend, and I certainly do not think we could spare the military force. I do not think the Caffres are sufficiently advanced as to be bound by any treaty that could be made without seeing we had a force equal to theirs in enforcing the obligations of it, but I think that the military force ought to be very much altered to what it is at present; the infantry are of very little use in any kind of Caffre service, and from the very small number of the Cape Mounted Rifle Corps, both men and officers are in constant activity and much harassed. If this corps was increased, we might in a short time reduce the number of infantry; the horses in this corps are bought at a cheap rate, and the establishment altogether is on a plain and economical scale. It must be remarked that there is only one regiment of infantry employed on the frontier, and that there are two kept at Cape-town where no active service is required.

353. Do you not think if trade increased, that the natives will feel so much benefit from that that it will render them more pacific?—Most certainly.

354. If Albany was well settled from Europe, would not a militia force stand very generally instead of the regular infantry corps?—Certainly; we are deficient in numbers; we want an additional number of emigrants to fill up the country with a denser population.

355. I think from the view you have taken of the subject, you mean to say that immediately you could not diminish the force, but suppose the question to be whether it would not ultimately have that effect?—No doubt, it would, in proportion as you bring them to trust and have confidence in you, but the late rupture will prolong the period; the great evil has been the absence of anything like consistency on the part of Government in forming a frontier system; it has been so vacillating that the Caffres place no confidence in our conduct towards them, at one time ordering our troops to fire on them wherever they were seen, and at another, not even to fire in self-defence.

356. Had you many opportunities of observing the conduct of the missionaries?—Yes, I had. The missionaries who were in that part of Caffreland which I visited, are all of the Wesleyan persuasion, and I do consider that they have made much progress; it was from what I witnessed of their labours in Caffreland that I became a subscriber to their missionary meetings, one of which is held annually in Graham's-town, where the missionaries all meet and consult with each other about their future proceedings. The missionaries who reside amongst the other Caffres are principally belonging to the Glasgow Missionary Society, and I have no personal knowledge of them or their labours, it is in a different part of the country to what I visited.

357. Were they all Wesleyan missionaries whom you saw?—All, with one exception, Mr. Brownlee of the London mission.

358. Are you a member of the Methodist persuasion?—No, of the Church of England.

359. Is there any peace party among the Caffres, or any division among the Caffres? Is there not a portion of the Caffres anxious for peace?—Yes, the Amagonaqueve tribe, of which Pato and his brothers Kama and Cobus Congo are the chiefs; they have behaved uncommonly well; they have even joined with us against the other Caffres.

360. What missionaries did you know at Graham's-town?—Those settled in Graham's-town at present are, Mr. Shrewsbury of the Wesleyan, Mr. Davies of the Baptist, and Mr. Munro of the London Missionary.

361. Do you know Mr. Read?—I have seen him; he resides at the Kat River with the Hottentots.

362. Did you know Dr. Phillip?—Yes.

363. Well?—Yes, very well; he resides at Cape-town; he comes up once in two or three years into our part of the country; I generally see him then.

364. Do you think that the missionaries might be made of considerable use in our intercourse with the Caffres?—They generally decline to have anything to do in any other way than as missionaries in spiritual concerns; combined with Government agency, has created often a great jealousy with the Caffres; they were once

united in the person of Mr. Brownlee, who was a missionary, and also a Government agent, and in consequence he was frequently asked to do things which very much interfered with his spiritual avocations, and created a jealousy with the Caffres, and that made him give up the appointment.

365. My question is this: do you think the intercourse of the missionaries with the natives, and the influence which that confers upon the missionaries, would have a tendency to increase the influence of the British Government amongst them?—Most undoubtedly; I think it is owing to that very influence that so many lives have been saved, for the Caffres, in the first instance, after the invasion took place, cruelly murdered the traders in every direction they could be found, but those that fled to the missionary institutions were saved; and subsequently 100 individuals at one time came in with the missionary safe to Graham's-town, under a military escort sent for them.

366. Are you aware in the late insurrection that one of the chiefs refused to come to us till he had the word of a missionary pledged to him?—I have heard that account, but only from what I have seen in the public reports.

367. Do you think that the missionaries were the means of saving a considerable number of lives during the late insurrection?—I have not the least doubt of it.

368. As far as you know, has facility and encouragement been given to the missionaries by the British Government there?—Certainly, I think they have no reason to complain in any way; they have perfect facility to do as they like.

369. You have stated among the Caffres that there is a peace party, or a body more favourable to peace and trade than another; will you state what that party is called?—The Amagqueve tribe I have before mentioned.

370. Are they at all a powerful and influential body?—Their number is about 7,000, and amongst them the first missionary settled, and there is greater proof of improvement in that tribe than in any other of the tribes of Caffres: although I attribute that to the very excellent conduct of Mr. Shaw, who went in among them.

371. When you speak of the use that can be made of missionaries, and the benefits they confer, the Committee want some information as to the mode of proceeding adopted by them, with reference to the instruction as well as the conversion of the natives?—I cannot say much upon that subject; my stay at the different institutions was very short; they consist of missionaries who attend only to their spiritual wants, a missionary artisan to superintend the buildings in the institution and the agricultural pursuits, and a schoolmaster to instruct the youth.

372. Is the object of the mission generally to instruct and inform the people, as much as the conversion of them, or the reverse?—Certainly as much as the conversion.

373. And practically speaking, have moral habits and state of information among the tribes most subject to the exertions of the missionaries proportionally improved?—The progress of civilization and improvement in a wild untutored nation must necessarily be very gradual. Adults are very slow in adopting new ideas to those in which they have been brought up; it is only with the young that any very sensible effect can be produced. There is one remarkable instance in the Amagqueve tribe, of whom I have before spoken. Kama, the youngest brother, has shown decided proofs on this head; he is considered by the missionaries as being completely converted, and it is apparent to all that in his outward conduct he conforms to all the rules and regulations of civilized life; and contrary to the practice of his brothers and all other chiefs, he is not a polygamist.

374. Do you attribute the improvement which you have spoken of mainly to the exertions of the missionaries, or to the progressive extension of peaceful habits and commercial habits?—Both circumstances; and, in my opinion, the two go hand in hand.

375. Do you think the peaceful habits are themselves a good deal owing to the conduct of missionaries?—Certainly.

376. You have stated that one of the chiefs would only put trust in the word of a missionary; do you mean to say that the agents of Government have not the same authority or influence, and that the same reliance is not to be placed upon their word generally as upon the word of the missionary generally?—The circumstance which the Chairman just alluded to I have only seen in the newspapers, and I forget the circumstances attending it. In reply to the last part of the question, the missionaries certainly possess greater influence than any messenger sent in by Government.

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377. How is the messenger recognised; as the official agent of Government?—They are not the official agents of Government, they are generally interpreters; Hottentots who understand the Caffre language, or Caffres who understand Dutch from having lived with the farmers.

378. Supposing the fact to be true, might it not arise from the natives having a particular acquaintance with the missionaries, and no particular acquaintance with the agent in question?—Yes.

379. Within your knowledge have the natives manifested any want of confidence in the agents or the officers of the British Government in the colony?—I have no opportunity of knowing that, though I held an official situation. The whole of the intercourse between the Caffres and the colony is conducted by the civil commissioner; nothing is published, and we know nothing of what transpires between him and the commandant. I know in one instance some Caffre chiefs, a little before I left the colony, refused to come to a conference when solicited. The circumstances, as I understand were these: a day had been fixed for some of them to meet the civil commissioner and the commandant at Fort Willshire. In the meantime the Fish River had risen so high as to prevent those gentlemen from crossing it; a future day was subsequently named, but the chiefs refused to come, alleging that when they last came in they were treated and rationed like common soldiers, and were not even allowed to sleep in the barracks; they therefore should not attend until Colonel Somerset returned, as he always treated them as chiefs, and provided them with a house to live in.

380. Do you think that the confidence on the part of the natives in the British Government has been increasing or diminishing with reference to the policy of the last few years?—It has, I think, been evidently diminishing of late, and that has led to the late irruption.

381. Is Dr. Phillip, of whom you have spoken, a very active missionary?—He resides at Cape-town. We have seldom an opportunity of seeing him.

382. Does he go much into the interior, and mix with the natives?—About once in two or three years; he comes then from Cape-town, and takes his rounds.

383. What district does he embrace in his journey?—He visits all the Hottentot institutions. He does not go into Caffreland; I do not know that he ever was there. He goes up northward amongst the Griquas; that is a part of the country I know nothing of.

384. Do you think that more missionaries might be well and beneficially employed than are at present employed there?—This invasion will necessarily curtail the stations. They were very numerous in Caffreland; they extended from one end to the other. Until the sensation has subsided in regard to the invasion, it will be difficult to find employment for those who are now in the colony. The Wesleyans have lately sent some of their missionaries rather more to the north, but only temporarily, until affairs are more settled with the Caffres.

385. Are there any missionaries of the Church of England?—None whatever.

386. Do you happen to know whether any of the missionaries lost their lives in the late insurrection?—Not one.

387. To what do you ascribe that, in such a state of danger as they were placed?—To the influence which they have over the tribes, which arises both from the civil and religious benefits which they confer.

388. Were any of the traders murdered or killed in the late insurrection?—Yes, a number.

389. Were not some saved by the missionaries?—On going to the missionary stations, they were saved; they ultimately came in with the missionary in safety under a military escort sent for them.

390. Then their own lives were not only saved, but they were the means of preserving several of the traders?—Certainly.

391. Owing to the influence which they possessed?—Yes.

392. Was there not some regulation a few years ago by which the Caffres were allowed to come into the colony as servants?—Yes, there was.

393. Will you explain the regulation?—There was an ordinance passed, allowing several tribes named to come in under certain conditions; it did not only allow the Caffres, but all the tribes round about the frontier, to come into the colony as servants.

394. Did any of the Caffre tribes come in at the same time?—Yes.

395. Did not the settlers complain very much of the ordinance, namely, that having

having brought the younger branches of the Caffre family into the colony, and received them for a year, and taught them a great number of useful arts, and made them useful servants; did they not complain of the ordinance, that it obliged them to send these Caffres back into the country again?—No, that was not the case; the Caffres were not long enough in for the colonists to have any complaint of that kind made. The ordinance provided that no engagement should be made for more than a year, not that the Caffres should be sent back after a year. The complaint against the Caffres was, that several robberies of cattle took place at that time; and it was reported to the civil commissioner that the Caffres, on completing their time of service, seldom went out of the colony without taking a few colonial cattle along with them; in consequence of which, it being represented to the Governor, an order was given to prevent the Caffres coming in future.

396. Are you aware of the length of time it took between the period of the last irruption of the Caffres and the time the Governor was able to take the field to repel it?—The irruption took place at the latter end of December, and he was not able to obtain a sufficient force to retaliate and recover the cattle till late in March or April. I do not think he left Graham's-town till that time.

397. During that period, if the Caffres had not been intent upon plunder, might they not have overrun the colony with the immense force they had?—Certainly, they might; had they not been intent upon mere plunder, and returning back to secure the cattle they had taken, they might have gone over a great part of the colony before a force could have been collected.

398. Do you not think it desirable that there should be a local sub-governor at Graham's-town to hear the complaints of the Caffres as well as the colonists, and to decide between them, and not to refer 600 miles' distance to have those questions adjudicated?—Most undoubtedly. It is impossible for the governor at one end of the colony to form a just estimate of what is necessary; he must decide according to the letters which he receives from parties on the spot, and from information given to him, which is often conflictory and, of course, perplexing.

399. Are you aware that a petition has been presented to Parliament from some of the settlers of Albany, who are now in London?—Yes.

400. Did you know many Caffres who were in the service of the colonists?—Yes; I had several myself.

401. I do not ask with regard to yourself particularly, but generally; was there much care taken as to their moral and religious education?—None could possibly be taken, they were such a very short time with us; I do not think they were six months before the ordinance was repealed with regard to them.

402. Were the colonists in the habit of teaching them useful arts?—Yes, at least, agricultural ones; I have seen a Caffre boy, in the course of a few months, plough as well as a Hottentot who has been longer accustomed to it; this lad was in my service; they are very expert and clever, particularly the young men.

403. Are there any tribunals among the Caffres?—Yes, very regular ones, in my opinion.

404. You have spoken of their equity in adjudicating upon a matter of difference between your son and a Caffre; does that equity seem to extend to transactions between themselves as strongly as it was extended in the transaction to which you alluded?—Yes; I have seen an instance of a man who was accused of assisting in the robbing of cattle that were stolen from three different kraals, and he had of course a great number of accusers, and Gaika's brother, who attended as the judge, took compassion upon him. I had an interpreter close to me, who interpreted every word that he said; he took the part of the prisoner and very much wished to have spared him, and that he should not be punished so severely as his accusers claimed, for they make the offending party restore eight or ten for every one stolen. The chief, in this instance, appealed to their passions; he said, "You will ruin him; he has got a large family, and you will ruin him, if you insist on his giving up such a number for those which he has taken." The answer was, "That he had given them great trouble, that he denied having taken them, and that he had produced their skins disguised, and if he had not acted in that improper way, they would not have claimed the full penalty." At last the chief said, "I see I can do no good for him; I must therefore decide that he must be fined the full number of cattle claimed."

405. When you say the order confining the Caffre servants to the limited engagement of a year, do you imply that at the end of the year the Caffre was to

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quit the colony, or that he was only at liberty to make a new engagement?—That he was at liberty to make a new engagement.

406. There was no obligation on him to quit the colony?—None.

407. What was the motive?—It originated in a very good one; because in former times making an engagement with a native, upon one pretence or other, it became a perpetual bondage; this ordinance directed that no engagement should be for a longer period than one year.

408. Do you think the objections started to the system were real, or did they arise from a desire in any degree to get rid of this limited ordinance?—Only with regard to the Caffres; the Bechuana tribes and others are still allowed, and we experienced very great benefit from their labours, as they are most faithful servants.

409. The objection was that they had stolen cattle when they went away?—Yes.

410. And that was one of the causes of the putting an end to the system of limitation?—The governor, Sir Lowry Cole, was on the frontier at the time complaints were made, and he took pains to inquire into the charges, when it was determined that the Caffre tribes, from being such near neighbours to the colony, possessed too many opportunities of plundering the colonists, and they were in consequence prohibited from coming in as servants in future.

411. With respect to the aborigines on the frontiers of the colony generally, are there not inhabitants or settlers there who are acting and interfering improperly?—There is no interference in our part of the colony.

412. Is there any proportion of the colonists who are to be considered as in a state of outlawry, not being entirely under the control of Government, and who are the cause of irritation and excitement?—Not in our part of the country, certainly.

413. In any other part of the country?—Not in a state of outlawry; but I have heard that towards the north, the Dutch have frequently crossed the boundary of the colony, and interfered with some of the northern tribes, but merely in the case of grazing of their cattle, not in any other act of aggression.

414. Is it confined to Dutch settlers and their descendants?—We have no English settled in that part of the country.

415. Have you ever heard of their forming hunting parties, and injuring the lands of the aborigines, and injuring the inhabitants?—No, never, except as I before said in encroaching upon their grazing land, when a drought is experienced in the colony.

416. Are you acquainted with the work of Mr. Kay?—Yes; that is, I have seen a review of it in the Edinburgh.

417. Are you acquainted with the statements that he makes in his work upon that subject?—I never heard of them, and I cannot say if they are founded on fact. The Dutch have among themselves certain authorities who are called veldt-cornets; they would immediately report to the Government if anything of that kind occurred, through the civil commissioner; it is a part of the colony 400 miles distant from where I reside.

418. Have any exertions ever been made either by the colonists or Government to obtain an accurate knowledge of the native language of the inhabitants?—The missionaries have succeeded in the Caffre language I am told remarkably well; the Caffre Grammar is published, and several of the chapters of Scripture have been translated.

419. Have they been so successfully translated as to be useful amongst the lower classes, or those supposed to be least informed?—I should think so.

420. The object of the question is to ascertain whether they are successfully translated into mere colloquial language?—Most undoubtedly; I will mention an instance: Mr. Theophilus Shepstone, the son of a missionary, was with his father at the first establishment of Wesleyville in Caffreland; being very young at the time, he acquired by mixing with the Caffre boys a perfect knowledge of the Caffre language, in which he was encouraged by his parents, and he became as perfect in it as in his own; subsequently he was employed at the missionary press in arranging the printing of the Grammar and portions of Scripture; and in the late invasion he attended the governor as interpreter, and when the treaty was made with the Chief Hinza, he explained every article of it to him in the Caffre tongue, and the chief acknowledged he perfectly understood what he was going to agree to, and signed accordingly.

421. Is there any one who is capable of forming a competent judgment of the translation

translation of the Lord's Prayer into the Caffre language?—Yes; there have been so many that there is certainly no doubt upon the subject. *Thomas Philipps, Esq.*

422. As to the translation itself, is it so translated as to produce the same effect on the mind of a moderately informed Caffre as it would produce on the mind of a moderately informed European?—I have no doubt of that; I have attended Divine service, read in the Caffre language, at Wesley village, where the Commandments particularly were read in the Caffre language, and the responses were made by the Caffres themselves, and their chiefs behaved in a proper manner. Not knowing the language, the only way I could possibly judge that they understood it was, that they seemed to be affected by what was read to them, and to be extremely attentive: this was at an early period; great improvements have been made since. 5 August 1835.

423. Is the Caffre Grammar published in London, or confined to the colony?—It was published in the colony, but I think at the Wesleyan Mission-house there is one.

424. Have the Moravians a missionary establishment of any sort on the frontiers?—They have one Hottentot establishment there, and likewise an establishment amongst the Tambookies, another tribe.

425. Have they been very successful in their endeavours to civilize?—I have no knowledge of that, never having visited any of their institutions; they are situated at a great distance from my residence.

426. Do you not think that the missionaries form a connecting link in the chain of civilization and intercourse between the colonists and the Caffres, and other tribes?—Certainly.

427. Not only a connecting link, but do you not think that the advances made in civilization and intercourse might be very much injured, supposing the missionaries were to be entirely withdrawn?—Certainly; and I will give one reason: our Government has not interfered in any quarrel that has taken place between the traders and Caffres out of the colony; any little misunderstanding has been frequently left to the decision of the missionary, or some connected with their institution; and on that account I consider the missionaries are a useful body, even in that way, so long as Government will not interfere, and until an appointment of an active and efficient individual is made to examine into the quarrels that do take place. The missionaries dislike interfering in temporal matters, and their influence is lessened by it; it is best preserved by wholly abstaining from being involved in either Government or any other service but their own.

428. Are there any distinctions established at the colony between white and coloured people?—None whatever.

429. Do you mean that a native is not excluded from any privilege on account of his colour?—Certainly not now.

430. Does any process of amalgamation between the Europeans and the native race ever take place?—Very considerable; the race between the Dutch colonists and the Hottentots are very fine active people; they are called Baastard Hottentots.

431. Are there any legitimate marriages between the Europeans and any of the mixed blood?—Yes, amongst many of the slaves. I know instances where respectable individuals have married their slaves; that is, with those where there is a great approximation to European colour; I know of none, as to any completely dark colour in our part of the country; but in the Dutch part, there has been a greater amalgamation. Mr. Read, the missionary, is the only European who has married a Hottentot woman.

432. Has there ever existed any amalgamation as to the tribes called the Caffres?—No, none whatever.

433. You stated that there are no legal distinctions; are there any social distinctions prejudicial to intercourse founded on colour?—No; I think less in our colony than any other. I have seen slightly coloured ladies and gentlemen in the same room with Europeans; everything depends on their education and conduct.

434. Would it be thought an affront to an European to be invited to meet a native man of colour?—No, certainly not; provided his rank in society was the same; there is no distinction of that kind.

Captain *Aitchison*, called in; and Examined.

435. HAVE you in your possession any instructions that were given to you upon going into the Caffre country as the commandant of patrol?—I have two, which I have received on different occasions. Capt. *Aitchison.*

Capt. *Aitchison.*

5 August 1835.

436. Read them?—The first is dated Fort Beaufort, 16 June 1830: "Captain Aitchison will take the command of the division now assembled at the new post; Captain Aitchison will receive from the chief (Charlie), who has offered to accompany the commando, guides to the kraals, whose Caffres are supposed to have committed depredations on the colony. Charlie's Caffres are to conduct Captain Aitchison to the said kraals; Captain Aitchison will then secure the cattle of those kraals, and drive them off in the direction of the old waggon drift on the Keiskamma, where he will join the central division under the commandant of the frontier. Captain Aitchison will inform the Caffres at the kraals, where he seizes cattle, that he has orders to take the cattle to the commandant, where all Caffre cattle will be restored to them, and only colonial cattle detained.

"Should the Caffres make resistance or offer any attempt at hostilities, Captain Aitchison will fire upon them, and resist every attempt that may impede the execution of these orders.

"*H. Somerset*, Colonel Commandant."

437. I see that there an engagement was entered into, that Caffre cattle should be returned; was there any Caffre cattle taken?—Yes, I took upwards of 1,000.

438. Was there any other Caffre cattle taken by any other party?—There was one party, commanded by a field commandant, named Peter Ennis, who took 1,100 head.

439. Were those cattle restored according to the promises that were given?—I believe not.

440. Were any of them restored?—I believe not.

441. How many head of cattle had been stolen by these Caffres, there being 1,000 on your part, and 1,100 taken by another party?—The order was merely that I should drive off all cattle from the different kraals, for the purpose of selecting only those which could be identified as having been stolen from the colonists.

442. How many head of cattle had been stolen?—I am not aware.

443. You took them with the intention of keeping only such as belonged to the colonists?—Such was the order.

444. As far as you know the whole sweep was retained?—Yes.

445. Be so kind as to read the other document?—

"Graham's Town, August 1, 1830.

"Instructions to the Officer commanding the Patrol proceeding to Passie's Kraal.

"The officer commanding the patrol will proceed to Passie's kraal, near the head of the Buffalo River, and will there seize upon 148 head of cattle, stolen by the Caffres from a farmer named Panord. The herd belonging to the cattle having been murdered by the Caffres of Passie, the officer commanding the patrol will at once proceed to seize the cattle, and upon the slightest disposition or attempt at hostility or resistance, he will order his party to fire upon the Caffres, and make a severe example of them.

"The patrol will seize any cattle that may be at the kraals of Passie without any reference as to their being colonial or Caffre cattle; but should Passie's Caffres produce the actual cattle belonging to the farmer, the officer will receive them. Upon the cattle being secured, the officer commanding will proceed with them direct to Fort Wiltshire, or Fort Beaufort if more convenient. The farmer Panord is to accompany the patrol, in order to identify his cattle, if necessary. The officer commanding the patrol will communicate by express to the commandant immediately on his return at either of the posts, or upon an earlier occasion, should he find it necessary to do so.

"The officer commanding the patrol will be careful to conceal as far as possible from any of the Caffres the object of the patrol assembled.

"*H. Somerset*, Colonel Commandant."

446. Were you acquainted with the character of the colonists who were in the habit of going into the Caffres' land to trade with the natives?—Not personally.

447. Do you by reputation know what character they had?—Yes.

448. Do you think that their reports of the conduct of the Caffres ought to be received with considerable caution?—Certainly.

449. They

449. They are a class of people on whom great reliance could not be placed?—Yes. Capt. *Aitchison.*

450. We have heard that 1,000 and 1,100 head of cattle were seized; how many more do you believe were seized in the sweep?—No more. I believe our party, and the other party I alluded to, were the only parties who took cattle. 5 August 1835.

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*Mercurii, 12° die Augusti*, 1835.

## THOMAS FOWELL BUXTON, ESQUIRE, IN THE CHAIR.

*Andrew Stockenstrom*, Esq., called in; and Examined.

*A. Stockenstrom*, Esq.

451. WHAT was your office at the Cape of Good Hope?—The last office I held was that of Commissioner-general of the eastern division of the colony.

12 August 1835.

452. Are you aware of the objects of this Committee?—I am from having seen it in the newspapers. I beg to mention I must preface any evidence I may give with this observation, that I am now nearly two years and a half away from the Cape of Good Hope, and know nothing of what has occurred since, because I hold no communication with anybody, directly or indirectly, belonging to any party whatever, except private friends and my family; but at the time when I considered it necessary to withdraw myself from the public service of the colony, I made representations to the Government stating my motives for so doing, and I wrote several letters to the Secretary of State, which embraced all my views with reference to the frontier, with reference to the natives, and with reference to the office I held. I am ready to give any information which the Committee may require, and most anxious to do so, because I see nothing in it that I cannot state with perfect fairness; I belong to no party, have no views to gratify, and I am now unconnected with the service. I should think it would be best for the Committee to have those documents, they are letters directly directed to the Secretary of State; I know he will be most happy, if they are not already here, to grant them, and without them I do not see how it is well possible to proceed without confusion, for in two years and a half I have been travelling all over the world almost, and having no connexion with any party at the Cape whatever (my letters being only from private friends), I know of nothing that has been passing there except what I see by the newspapers. My letters to the Secretary of State are so full on the subject, and detail my views so completely, if the Committee would read them, out of them various questions would result for the sake of elucidation which I should be most happy to answer. I beg to say at the same time, it will be necessary for me to have the letters, as I have only the dates of them, which I am ready to give now; but without the letters I do not see that the Committee can proceed regularly.

*William Parker*, Esq., called in; and Examined.

*William Parker*, Esq.

453. WHEN did you go to the Cape of Good Hope?—In 1820.

454. When did you return?—8th December 1822.

455. Do you know anything of your own knowledge since the date of 1822?—No, only by correspondence.

456. Did you go out as a settler?—I went out as a settler, at the head of the largest party of all the settlers.

457. Where were you located?—I was first desired to take lands at Clanwilliam, a sub-district of Tulbagh.

458. Where subsequently?—Then I was desired to take possession of the long cultivated lands of the Hottentots.

459. Where were you settled?—Nowhere; I was partly located, but some events which occurred in the colony deranged the whole system of emigration.

460. State to the Committee what facts you know of relative to the violation of the neutral territory in 1820?—When the lands were found totally inadequate at Clanwilliam for the location of any large party of settlers, the Government proposed to move a large portion of them to the Zuure Veld, which was part of Caffraria; I was then informed by very competent authority (the late Mr. Stoll, the

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landdrost of the Cape district), that this territory, where they were proposing to send my party of settlers to, did not belong to the British Government, and Mr. Stoll, with tears in his eyes, in the presence of my wife and children, went down on his knees and implored me that I would not commit him with the government, but he said, "the high character you have brought into this colony induces me to place implicit confidence in you, that whatever may occur, you will not commit me with the local authorities here;" but, said he, "I should not act the part of a man or a Christian towards you, were I to allow you to be sacrificed to the ignorance and incompetency of the local authorities in this government." Of course this placed me under peculiar circumstances; I was not to sacrifice my wife and children and dependents, when a man of the very first authority in the colony communicated this fact to me; that caused me to make further inquiries, which led to the full discovery of the whole respecting this fraud on the natives. Mr. Stoll's statement was subsequently confirmed to me at Cape-town by the Reverend Dr. Philip, who knew the country well. Mr. Stoll never had been at Caffraria at the time he spoke to me on the subject, but he had information from sources which could not be doubted.

461. Be good enough to state those facts that came to your knowledge?—The principal of the facts as to the improper conduct of the local government concerning myself occurred in the district of Clanwilliam.

462. The Committee are not at liberty to inquire into grievances of your own, but they wish you to state any facts within your knowledge?—I do not refer to my personal grievances, but to the conduct pursued towards the aborigines.

463. State what facts you know which were connected with the aborigines? On the 22d of June 1820, the deputy landdrost of Clanwilliam, Mr. Bergh, wrote me a letter desiring me to take possession of the lands of Varhens' Fontein, in the district of Clanwilliam, of which I could get possession at once; I have his letter ready to submit to the Committee; fortunately a Moravian missionary, as I understand, was at the house of Mr. Bergh, a Mr. Marquoad, and he said, "Mr. Parker, the government here are acting on principles totally subversive of Christianity; I place implicit confidence in your honour and protection of me for the information which I am now going to give you respecting the unfortunate natives of this colony," alluding to the whole of the black population. This gentleman was a long time in the colony and connected with the Danish missionaries; he said "if you will go and see the lands of the Hottentots, you will be astonished at the industry which they have practised there, the beauty of the cultivation and the comforts which they enjoy;" I went to view this place, and there was not a more beautifully cultivated place in the whole colony; Varhens' Fontein is the name of it. On my arrival there the senior Hottentot received me at his house, and he said, "You have instructions to take possession of these lands and houses, which I have long improved, and made myself happy and comfortable, and I am desired by the Government to give you possession of them all, of course;" he said, "I am bound by the precepts of Christianity to obey the powers that be."

464. Was this a Christian Hottentot?—Yes, they were all Christianized; I said, "if you obey the powers that be, and give me possession of your lands and houses (there were about 14 of them comfortably built in the European stile), what will become of you in case I should take possession of the land?" he said, "I shall retire towards the northwards and avoid all intercourse with Europeans, for after being nearly 50 years here, and endeavouring through the instruction of the missionaries to cultivate these lands and to improve them, and now to be deprived of them in my old age, I can have no further confidence in the truths of professing Christians, or in their conduct;" he had a large Bible on the table, and he turned to the 13th chapter of St. Paul's Epistle to the Romans, and he then said, "pursuant to those instructions, which I consider divine, I will yield to the powers that be, and I beseech you to take my lands; I am told you are a Christian; you may be of service hereafter to me in the wilderness; I am now past 70 years of age; my children, grandchildren, and great grandchildren, are all Christianized; it is a hard case." Several of the settlers that accompanied me were extremely anxious, from the beauty of the cultivation, which was superior to anything I saw in the colony, to get possession of those lands.

465. What was the number of the colonists you took with you?—Two hundred and twenty-two.

466. How many accompanied you on this visit?—Seven besides myself, and two natives of the colony went as interpreters.

467. Of what number did this Christian tribe of Hottentots consist?—The family consisted of 25, independently of his dependents.

468. And did you locate yourself in these houses?—Certainly not; I should not have acted a Christian part if I attempted to disturb them, or allowed my settlers to disturb them. I told Abraham Lwortz, the name of the principal Hottentot, "I have not come here to be an instrument of mischief to any human being, and I will not allow any of my settlers to disturb you, on the contrary, I shall write to the governor, pointing out to his Excellency the injustice that is attempted to be practised on you, and requesting that you should be confirmed in those lands by some legal title that you may never be disturbed, as one of the best examples, and the best encouragements to the promotion of general Christianity among the natives of the colony." I having refused to disturb the Hottentot, the deputy landdrost sent an account of the circumstance to the government, when a communication was received by the deputy landdrost with very strong expressions of indignation against myself.

469. Did the Committee understand you clearly, that you received authority to take possession of that particular portion of land?—Yes, I have the orders in writing in this room.

470. Distinctly designating it?—Yes, distinctly designating it.

471. Have you the order here?—Yes.

472. Produce it?—This is the order, dated "Clanwilliam, 22d June 1830: Sir,—In answer to your letter of this morning, I am to inform you, that it is the intention of his Excellency, the acting-governor, to locate your party at the Kleine Valley, with as much land as will be sufficient to the amount of the quantity of acres allotted to you. The Kleine Valley, having been surveyed, it proved not to be large enough, containing no more altogether, with a small spot name Varhens' Fontein, but 3,200 acres, of which you will be at liberty to take possession of whenever it will be convenient to you. I will request Mr. Tullekin, the land-surveyor, to-morrow, to point out to you the boundaries of the said land, and think it would be desirable for you to content yourself for the present, until his Excellency, the acting governor, shall have arrived. I have, &c., (signed) *E. M. Bergh.*"—It does not express in this letter that this land was occupied by the Hottentots at all, when they had been there for half a century.

473. Then it is to be presumed that the government were not aware that it was doing any injustice to the natives, in appropriating this location to you?—They must have been aware of it, and unquestionably aware of it; it is of no use to conceal facts.

474. What was your next step after receiving that order?—I wrote immediately to the landdrost, to say I would on no account allow the Hottentots to be disturbed; that it would be contrary to the principles of Christianity to do it, and highly injurious, and that it would be the cause of a warfare in the settlement.

475. Was the order that you received of such a description as to make it perfectly clear that this was the land that was meant to be appropriated to your use?—Most unquestionably; the son of the landdrost accompanied me to this place, and he said, "here is the land; here are the houses; you will take possession of the land now surveyed officially according to the letter.

476. Was the son of the landdrost present when this conversation took place between you and the persons occupying this land?—He was; and was the interpreter.

477. Was it distinctly understood you were to take possession of these houses, and of this small place, Varhens' Fontein?—Yes, unquestionably; and here is a further corroboration from the same deputy landdrost and under the same signature, (*producing a letter*).

478. You represented to the authorities at the Cape the injustice of your taking possession of these lands?—Yes.

479. What was the result of that remonstrance?—Then they wrote to say it was very hard to please Mr. Parker in lands, and he must go and look for lands elsewhere in the colony, and see what lands he could get, that they could purchase for him from the occupiers.

480. What was your further procedure in consequence?—My further procedure was to remonstrate with the government on the injustice they were practising on the natives.

481. Did you represent the matter in England?—I did to Mr. Wilberforce.

482. Did you confine your representation to the local authorities?—I spoke of it very generally.

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483. Did you make any representation to the authorities in England in consequence?—No, I did not, except through Mr. Wilberforce; and afterwards an order was sent out to confirm the Hottentots in their land.

484. Were those orders carried into effect?—They were, and that was the first grant the natives ever got in a legitimate honourable way on the part of the government.

485. Then it appears as soon as the injustice of that measure was manifest, measures were taken to give those Hottentots redress?—After hearing from England. The second letter from Mr. Bergh was written three months afterwards, when he urges me to give some of my settlers possession of that land.

486. Those particular Hottentots to whom you alluded before were never disturbed from their possession?—No, I did not allow it.

487. Was it not evident the landdrost was not aware the Hottentots were to be disturbed?—He was completely aware of it.

488. Can you furnish the Committee with any other instance to your own knowledge, in which the natives were aggrieved about this period?—Not to my own personal knowledge, except by correspondence, and correspondence of a very serious character and import indeed.

489. Did that transaction relate to the Hottentots?—No, to the Caffres.

490. Did any of your settlers remain on that spot?—No, I would not allow of any one to interfere with the Hottentots.

491. Then you cannot inform the Committee, from your own knowledge, of any further violation of the neutral territory?—Certainly not, from my own knowledge.

492. What were the conditions under which you left England?—I was to have 100 acres of land for every able-bodied man of 18 years and upwards I took out with me.

493. Was that a condition entered into with you by the Government?—Yes, it was, at home.

494. Then, when you arrived at the colony, you applied to the authorities there to fulfil that condition?—I did.

495. And what they did on that was to allot you this land, which you found to be already occupied?—That was a small part of it only.

496. Did they allot to you any other?—Certainly, but not by any means sufficient for the support of six families, instead of 76.

497. Were you to have that in whatever capacity the able-bodied men might be?—Yes.

498. Whether he was a settler like yourself or one of the servants?—Yes, for every man I took out.

499. As you had 222, you expected to have 22,000 acres?—No, 7,600 acres of land fit for cultivation; there were only 76 able-bodied men.

500. How much land was ultimately allotted to your party?—I got no land at all.

501. Then what became of your settlers?—They were all dispersed through the colony; I was obliged to feed 90 of them at my own expense for nearly three years, and to pay them wages also, which was a very ruinous concern.

502. You returned after having been in the colony two years?—Two years and eight months.

503. You took out 220 settlers with you?—Yes.

504. Were they in the capacity of servants?—A great many were independent of me, who joined the party, but I was their acknowledged head.

505. Did they pay their own deposits?—Some did; I paid for all my artificers; I suppose about 45 paid their own deposit out of 76.

506. What is the distance of Clanwilliam from Cape-town?—It is about 180 miles.

507. How far is the valley from Clanwilliam?—Six miles.

508. Then you only took out 76 able-bodied settlers?—Yes.

509. Out of those 76, 45 paid their own deposit?—Yes.

510. And yet they acknowledged you as their head?—Yes.

511. They owed you no particular allegiance?—None of them could get any land, except through me, according to the instructions of the Colonial Department.

512. Did you or did any of your party obtain any land at that time?—Yes, some of the party did.

513. Was that land that belonged to any of the Hottentots, or was it land that you

you did not interfere with any persons' rights in taking possession of?—It was land that was abandoned by the Dutch farmers as unfit for cultivation. *William Parker, Esq.*

514. A large portion of the settlers you took out, did they find their way into a new territory?—One hundred and twenty-seven of them were removed by order of the acting-governor in July 1820; when he found he could not place them on the western coast, they were removed to the Zuure Veld. 12 August 1835.

515. That is to Albany?—Yes.

516. Did you approve of the land first allotted to you?—No; some of my party afterwards separated from me (I being dissatisfied with the land allotted), and they got land from the Government totally independent of me.

517. Was that land so assigned to them belonging to any other individuals?—I apprehend that it was, but I have no positive evidence of it; it was the property of the Caffres.

518. You cannot assert that it belonged to any individual?—Certainly not.

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*Veneris, 14° die Augusti, 1835.*

## THOMAS FOWELL BUXTON, ESQUIRE, IN THE CHAIR.

Captain *Stockenstrom*, called in; and Examined.

519. ARE you a native of the colony of the Cape of Good Hope?—Yes.

520. Describe, if you please, the different offices which you have held there?—I commenced in the year 1808, as a clerk in the landroost of Graaff Reinat, and accompanied Lieutenant-colonel Collins, who was appointed His Majesty's Commissioner on the frontier, on his excursion among the border tribes. In January 1811, I was appointed ensign of a Cape regiment, and after serving a few months at the head-quarters of the regiment at Wineburgh, I was sent with the regiment to the frontier. I was appointed deputy landroost of the district of Graaff Reinat about the beginning of 1812, and landroost (that is chief magistrate) about the beginning of 1815. On the 1st of January 1828, I became commissioner-general of the eastern division, and my situation was abolished the last day of December 1833. Capt. *Stockenstrom.* 14 August 1835.

521. On what grounds was that commission of generalship abolished?—I held the situation some time, and finding that it did not answer the purpose for which I thought it created, I made representations to the local government to that effect. Latterly, finding that the situation was of no use, at least that I could not do anything in that capacity, I thought it my duty to the public, and also to myself, to recommend the abolition of that situation. That, however, did not take place at that time. I knew that the situation had been specially created with the view of superintending the affairs of the frontier and eastern division, and as I had no superintendence of the kind, or was not useful in any way, I obtained leave from the colonial government to come to England, represented the case to the Secretary of State, and in a short time afterwards I was informed that the situation was abolished.

522. From what causes did it arise that that situation was not rendered as useful as you originally contemplated it would be?—I differed with the colonial government as to the views with which that situation had been created, and as to the manner in which it could be made most useful. I had long served upon the frontier, and had, in my own mind, made up my opinion as to the best mode of regulating the affairs of the frontier, in order to afford protection to the colonists and to the Caffres, and other native tribes; but I found that the colonia government carried on the duties of my department with the officers of my province direct, and seeing that it was impossible to carry on my view of the frontier defence, so as to give protection to both sides, and as many things occurred which I thought injurious to the peace of the frontier, I represented all these circumstances, and thought that I could not, consistently with my own feelings and with my duty, continue.

523. Be pleased to state to the Committee your opinion with regard to the remote and proximate causes of the frontier dissensions between the colonists and

Capt. *Stockenstrom.*

14 August 1835.

the native tribes?—Ever since the middle of the 17th century, since the Dutch East India Company took possession of the colony, there has been a gradual encroachment in the African territory, and of course the natives resisted originally as much as they could. It is on record, and well known, that this was accompanied with a great deal of mutual slaughter and bloodshed. With reference to the Hottentots, it came to that pitch that, with very few exceptions, the nation gradually became servile among the white colonists; those who did not submit to that state withdrew into the deserts beyond the frontiers, which were from time to time fixed, and they, being persecuted by all classes, degenerated into the state in which the remains of them exist at the present moment. So far, with reference to the northern frontier. On the coast, and towards the south, similar migrations on the part of the whites took place; they gradually spread eastwards, and the Hottentots of course disappeared. The Caffres encroached towards the west as the whites encroached towards the east; at last the whites and Caffres came in contact by these means, and for some time they lived on very peaceable terms, till at last disputes commenced amongst them, and also much bloodshed took place. The successive governments, which had existed at that time, had not sufficient power always to control these excesses; the interior of the country was in a disturbed state, and sometimes in open arms against the government; at last, however, when the government collected sufficient strength, there was a legal boundary fixed; I think that was by a proclamation of the Earl of Macartney, or perhaps earlier, under the Dutch government, about the year 1778. That boundary was the Great Fish River up to the Esterkin's Poort, and towards a chain of mountains running north-east up to the Winterberg.

524. Will you inform the Committee how that boundary was agreed upon between the British Government and the native tribes?—There was no agreement at that time.

525. Was it an arbitrary line, or was it by any agreement or inquiry?—It was the object of the Government to control further encroachments on the part of the whites against the Caffres and other native tribes.

526. Do you consider that a restrictive boundary line?—Yes, to prevent the whites from going further.

527. But the territory was in possession of the whites?—Yes, they had gone gradually; the whites encroached towards the east, as the Caffres encroached towards the west, and the Hottentots disappeared between them; and upon that territory they found themselves at last in contact.

528. But though it was a restrictive line, it was a line drawn arbitrarily by the Dutch authorities?—Yes. They did not, however, succeed at once in clearing the country of the Caffres to that extent, and after many aggressions on both sides, the Caffres continued in possession of the Sourfeldt, which is now the Albany district, and the territory west of that, as far as the Sunday's River. This territory, west of the Great Fish River, remained consequently a bone of contention between the whites and the blacks, until at last the government decided on expelling the Caffres from this territory altogether. Lieutenant-colonel Collins was first sent up by Lord Caledon. He started in 1808, and returned in 1809; I travelled with him throughout Caffreland in 1809; he, however, made merely preliminary inquiries, and did not proceed to any hostile measures against the Caffres. Colonel Graham, however, was sent towards the close of 1811, and the Caffres were then by a joint military and burgher force driven beyond the Fish River, and the country immediately became partially occupied by Dutch farmers. In 1817, the governor, Lord Charles Somerset, visited the frontier; up to that period, the system of taking Caffre cattle in return for what was stolen from the colonists, was not allowed in the manner since practised. His Lordship assembled the Caffre chiefs in the Kat River, and after a long discussion with them, it was there decided for the first time, that Gaika should be considered the responsible chief in Caffreland by the local government, and it was determined that for the future whenever cattle should be taken from the colonists by Caffres, the patrol should follow the traces into Caffreland, and have a right to demand and take from the first kraal or Caffre village, the number of cattle thus taken from the colonists. Here it is my opinion, that a great door to irregularities was opened. The Caffres are very much attached to their cattle; subsequent experience has proved, that in nine cases out of ten it is impossible to find the guilty party, and of course generally the innocent suffer. These people, from their attachment to their cattle, on which they principally live (living principally by milk), are of course very apt to resist their cattle being taken, and such

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such resistance can easily be construed into a hostile feeling, and any unscrupulous leader who chooses will then proceed to the last extremity in the execution of his orders, and bring off their cattle. This, I think, gave occasion to great irritation on the part of the Caffres. It so happened, that, soon after this, the Cape regiment was disbanded, with a very trifling exception. In 1818, a dispute took place between the Caffres under the Chief Gaika and the other tribes inhabiting the country more towards the coast. The government then, as I think, unfortunately, considered it was the business of the colony, from motives of precaution, I should suppose, to interfere in that quarrel. A commando was sent into Caffreland under the command of Colonel Brereton, to support Gaika. That commando killed a number of Caffres, and brought out an immense drove of cattle from Caffreland, from the tribe with which Gaika was at war, part of which was left with Gaika, and part brought into the colony, on the strength of the regulation issued in 1817, and distributed in various ways as compensation for colonial losses by Caffre inroads.

529. In what year was that?—That was in 1818. Now this led, as I conceive, directly to the attacks of the Caffres on the Sourfeldt in 1819.

530. What was the name of the tribe with which Gaika had the contest?—They were also Caffres; it is called the tribe of Slambie, and many other chiefs combined.

531. Was it from those tribes that the cattle were taken?—Yes.

532. Is the Committee to understand, that in consequence of some dissensions between Gaika and other Caffre tribes, the war commenced between them, that we joined Gaika, sent an expedition into the Caffre country, and took a very considerable quantity of cattle, which we disposed of to our own use?—Yes, partly to our own use and partly to Gaika's.

533. Were these cattle taken in consequence of any seizures that had been made by the Caffres upon any cattle belonging to the colonists or belonging to Gaika?—No, the expedition went purposely to support Gaika, on his complaint that the other chiefs were going to attack him.

534. No part of that complaint was, that they had seized his cattle?—No; it had nothing to do with any quarrel of the colonists, that I know of.

535. What portion of the Caffres attacked the Sourfeldt in 1819?—They were the Caffres who were at war with Gaika, and there were suspicions also that Gaika had supported them in their attack upon us.

536. You say that this inroad into Caffreland led to an attack upon our colony by the Caffres in the following year?—Yes.

537. Was that attack made by Gaika himself, or by Gaika's enemies whom we had attacked?—By Gaika's enemies whom we had attacked.

538. Are they distinguished by any particular name?—They have various local names among themselves; but I am not sufficiently acquainted with the language to describe them. There were at that time dreadful ravages committed by the Caffres in 1819; nothing of the sort had been before experienced, and it was on so extensive a scale that they even attacked the military head-quarters.

539. That is to say, against these tribes of Caffres against whom the British Government had interfered in the war?—Yes. They were then repulsed with slaughter; but the whole of the Sourfeldt was laid waste, and it was not until after considerable difficulty that it became in some measure clear of the Caffres. Then followed as an unavoidable necessity the commando of 1819, under Col. Wilshire. It would have been impossible for the colonial government to have kept possession of any part of that district if matters had been allowed then to rest as they were. All the disposable force in the whole colony, military and civil, were drawn to the frontier; the Caffres were driven back, were pursued into what is called Caffreland, and the result of that expedition was, the seizure of the ceded territory between the Great Fish River and the Keiskamma. The frontier line of the Great Fish River, in consequence of the impenetrable jungle, was considered totally untenable while the Caffres were brought to that state of hostility against the colony. Lord Charles Somerset in 1819, again visited the frontier; the Caffre chiefs were assembled on a prominent hill, and there was much discussion with them, which passed through me as interpreter of the Dutch language, minuted down by the colonial secretary, then Colonel Bird, who also understood the Dutch language, and afterwards inserted in the Government Gazette. The result of that discussion was, that the boundary line was taken from a high peak, situate at the sources of the Chumie and Keiskamma Rivers, taking a bend eastward between those two rivers along a ridge running into the Keiskamma, and from thence to the sea, the Keiskamma was to be

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the boundary. Gaika objected to this, saying that he wished to retain possession of the basin or amphitheatre formed at the various sources of the Chumie River, which by the first arrangement were included in the ceded territory, using these metaphorical words, "I have been born and bred up there, and wish to die there." His lordship then being on the spot, where he had the whole country before him clearly, after consulting those present as to the local position of that country, agreed that the line should run from that high peak, not eastward so as to embrace the sources of the Chumie River, but westward so as to run upon the ridge between the Kat River sources and the Chumie River sources.

540. In fact, Gaika's wish was granted?—Yes, in that respect it was; the line keeping this ridge down to its junction at the Chumie, and thence along the water towards the sea.

541. Was this subsequent boundary line assented to by Gaika?—Certainly assented to, but unwillingly.

542. Did the other chiefs present express any opinion upon it?—There was a good deal of consultation among the chiefs, but the governor directed himself particularly to Gaika.

543. Then do you consider that Gaika acquiesced in that boundary line from an apprehension of the superior force of the British troops?—I am decidedly of opinion that Gaika would not have parted with that country if it had not been under such an apprehension, that he could not avoid it.

544. Then, in point of fact, it was a forcible possession of that territory?—That I am not able to say. I do not think the Caffres would, under any circumstances, give up such a fine tract of country willingly; but his Lordship, who had impressed upon his mind that the Colony had sustained a great deal in consequence of Caffre aggressions from time to time, said the Fish River boundary was totally untenable; therefore it was necessary for both parties that a new line should be made. I do not think that, under any circumstances, the Caffres would consent willingly to such a cession.

545. You do not consider it a forcible possession then, but you consider it an unwilling cession, such as would not be willingly made by any power?—Certainly.

546. Was there any equivalent compensation offered or suggested by the British authorities?—It was considered, from what the colonists had suffered from the Caffres, and the assistance given to Gaika in his disputes with other native tribes, to be sufficient compensation.

547. Then there were other chiefs with Gaika at that time?—Yes; several.

548. And the neutral territory, which was called afterwards the ceded territory, was what belonged to those other chiefs, and not to Gaika?—At that time they were in possession, but originally what we called the Gonaqua Land, as far as the Keiskamma, belonged to the Hottentots.

549. Do you consider that Gaika had the power to make a surrender of that tract of territory?—He acquiesced after it was explained to him it must be so; but that he said "I willingly consent to this," I cannot possibly say. In the first place, it would be contrary to reason to suppose that any people, under such circumstances as the Caffres, would willingly part with such country. I do not think any people would; but when he saw there were no other means, he acquiesced in it, and after much consultation with the other chiefs, he consented, provided that the Chumie Basin was included in Caffreland. It may be superfluous to enter into particulars on the subject, but I may add, that when he said he was born and bred there, it was supposed he had spoken an untruth. He was immediately told, "You were not born at the Chumie, because at the time you were born, there was not a single Caffre upon the western bank of the Keiskamma line;" and then he said, and every one understood that it was from no intention of falsehood, that he meant to say he had passed all his life there, and wished to remain there.

550. Do you consider that Gaika had sufficient power and authority over that country, to be able, if he had been willing, to have ceded it to the British Government?—I do not think that Gaika, or any other Caffre chief, then had any power except that of possession; because, as I have already said, at the first outset, as the whites migrated eastward, the Caffres migrated westward. It was not Caffreland originally, and I have alluded to that circumstance, in order that it might be understood that when Gaika said he had been born and bred in the Chumie, he was contradicted. He was told, "it is very well known you were not born there, for when you were born, there was no Caffre west of the Keiskamma;" and then he

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he said, "I merely mean that I have lived there all my life, and wish to live there still;" but the Caffres were then in possession of the territory.

551. But various tribes of Caffres were in possession, and the question is whether Gaika had so far an authority to represent them all, as to be in a condition to surrender that territory, without asking the consent of the other chiefs?—The Government had constituted him the supreme authority there.

552. Our Government had constituted him the supreme authority, but the Committee wish to know whether he had derived supreme authority by any other means than by that construction which was put upon his sovereignty by Lord Charles Somerset?—Allow me to observe, that the impression at that time on the minds of most people was that he had that power. The various relations between the Caffre chiefs and the constitution of the Caffre nation altogether has been principally elucidated since then by the circumstance of educated men, such as missionaries and others, travelling into Caffreland. At that time it must be understood there had been very little intercourse with Caffreland, except through the medium of unlettered peasants and some functionaries who had merely travelled through the country, and had not the time or the means to inquire into the constitution of the nation, and the various relations existing between the different tribes; so that the impression at that time in my own mind certainly was that Gaika had the right to do so, because I only knew of two parties of Caffres in direct contact with us, those of Gaika and T'Slambie; T'Slambie we knew did belong to Gaika, and was a subject of Gaika, because he had originally had charge of Gaika while a minor, and had usurped a sort of authority which he refused to relinquish when Gaika became of age; that brought on disputes between them, and T'Slambie retired into the Zuurveldt, which is now the Albany district; there was a division between them, and they were always at war; but at that time the relation between the various Caffre tribes was not so well understood as at present; these facts have been elucidated since.

553. Whatever the impression was at that time, is it your impression at this moment that Gaika was not in such a degree the sovereign of that district as to be empowered to surrender it, save and except by the authority conferred upon him by the British Government?—No, certainly; he was not the chief of all the tribes. There was a tribe known under the name of Pato, which never was subject to his control; and that country also towards the coast, as I have subsequently understood from the relations of the missionaries, I do not think that was ever properly under Gaika's dominion.

554. Then you do believe that Gaika, being constituted by our Government the sovereign of that country, did surrender land which, according to Caffre usages, he had no control over?—The Caffre chiefs certainly did not think him authorized in doing so.

555. But those chiefs who were present at the time of that interview with Lord Charles Somerset were consenting parties, were they not?—Lord Charles Somerset only held Gaika responsible, and only communicated with him. The discussions among the chiefs took place between themselves, and no one knows what their objections or their acquiescence were at that time.

556. But, as they made no objection, it might be taken for granted they were consenting parties?—It is very difficult for us to say whether they consented or not in their discussions with him; but we, being the stronger party, did not give that latitude to objections on the part of the native tribes which may be allowed on other occasions; a discussion with the Caffres was not then treated with so much formality as at present.

557. Then are these the facts of the case, that we interfered with the quarrel between Gaika and other Caffre tribes; that we made an inroad into the Caffre territory, in consequence of which we took from them a considerable quantity of cattle; that that led to an incursion on their part into our territory; and that then having chosen to consider Gaika as the only responsible chief, we obtained his unwilling and reluctant consent to the sacrifice of this rich district of land?—Yes, decidedly.

558. So that in the first instance, in consequence of our interference, we obtained a considerable quantity of the personal poperty of these natives; and, in the second place, we obtained a considerable space of territory?—Yes.

559. Do you know all these facts of your own knowledge?—Yes, decidedly.

560. And that we went into an enemy's country to assist one power against another?—In that instance.

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561. Is the Committee to understand that the English Government first went and took cattle from Slambie, and then took territory from Gaika, their ally, in consequence of the intermediate attack made by the T'Slambie Caffres?—The territory was taken from Gaika because we refused to negotiate with anybody but Gaika.

562. Was that the territory of Gaika or the T'Slambie tribes?—The T'Slambie tribe and the Gaika tribe were the same.

563. That was when they were at war?—Yes, but Gaika considered them as rebels; but there were other tribes connected with him that were not considered Gaika's subjects, such as the Pato tribe, and all Congo's people, who were all connected with T'Slambie.

564. Was the invasion of the Caffre territory in the first instance at the request of Gaika, or not?—Yes, decidedly.

565. How did he communicate that to the British Government?—His usual communication was through the frontier magistrate. I was not then connected with that part of the country.

566. Then the frontier magistrate submitted that communication to the supreme authority at Cape-town?—I suppose that was the channel.

567. Is that the ordinary channel of communication?—Yes, it should come through the resident missionary or the resident magistrate, and be communicated to the Government by one or the other, according to the circumstances.

568. By whom is the decision made at Cape-town?—By the governor.

569. Solely and simply?—Then solely and simply, but now the governor has a council whom he may consult, if he thinks fit, but he may act without them.

570. Then questions of peace or war are decided simply by the authority of the governor for the time being?—Yes, certainly, up to the period when I left the colony.

571. Was there any original boundary between the Caffre tribes and the Hottentots, before the British Government interfered?—None, that the Hottentots could maintain.

572. But speaking politically, was there such a boundary?—Not that I know of. In the history of the Caffre nation, I have never heard it mentioned.

573. Are you aware that Gaika has since remonstrated strongly, and said, that in consequence of his having united with us in that expedition against the other Caffre tribes, he, our ally, has been dispossessed of his territory?—No, I have not heard Gaika say so; but I have heard his sons, Macomo and Tyuli, say so, as a sort of reproach. I cannot charge my memory with having heard Gaika say so.

574. But you have often heard his sons say so?—Yes, by way of reproach. After the surrender of that land by Gaika, a question originated as to the occupation of that territory on the spot before we parted, and it was understood between him and the colonial government then, that it was to be neutral territory. In order to explain that correctly, as interpreter, and in order to convey it to the chief's mind, I used these words, That the waters of the rivers Gonappe, Karoomo and the Kat River, were to run in future undisturbed into the sea; that neither Caffres nor whites were to inhabit that territory. Lord Charles Somerset returned to the Cape, and shortly afterwards the intelligence arrived from this country that the House of Commons had voted a certain sum for emigration, and that a great number of settlers would be poured into that colony. A difference of opinion then originated between the governor and the colonial secretary, as to the right of occupation, as his lordship was anxious to avail himself of that territory for the location of settlers. His lordship was then on the point of returning to England, and Sir Rufane Donkin was to take charge of the colony during his absence. His lordship considered that the acting-governor, in his absence, would be perfectly justified in locating settlers in that territory, which Colonel Bird denied, and the question being referred to me, I repeated the words of the so-called treaty. That was in the discussion between Colonel Bird and the governor, before I had any intercourse with the acting governor. Sir Rufane Donkin came to the frontier soon after taking upon himself the charge of the government, and told me that he himself had scruples on the subject, and wished to know my sentiments, telling me what Colonel Bird, the colonial secretary, had said on the subject. I repeated the words of the treaty, and the acting governor said, "then I shall proceed no further without first seeing Gaika." Gaika was accordingly sent for. The acting governor then had a long discussion with me as to the best mode of securing the frontier, to prevent the necessity

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necessity of hostile aggressions against the Caffres, and consistently at the same time with the protection of the colonists.

575. In what year was that?—In 1820. He said that though it was extremely desirable, in order to obtain an efficient population for defence on the frontier, that this territory should be occupied, he would not allow it to be done if it was a breach of the treaty, and that he could determine nothing before he had seen Gaika. His plan, however, was to have a line of posts in the ceded territory. Upon the coast and upon the Beka, he proposed establishing a strong location composed of half-pay military officers, discharged soldiers and settlers.

576. Was that in consequence of the disbanding of the Royal African Corps at that time?—I believe so. Then also another part of his plan was this: 100 Highland families were expected out under the direction of Captain Grant, and these 100 families were to be located at the sources of the Kat River where I subsequently placed the Hottentots. With these two strong posts at their flanks, he intended to fill up the intervening space on the same principle with as dense a population as the country is capable of holding. His Excellency waited some time, and Gaika was very long in coming, but just as he was prepared to depart, Gaika did arrive, and his departure was postponed in order that the discussion might take place; and then it was agreed that the government should have the right of locating people in that territory. I was immediately sent to have the lands at the sources of the Kat River surveyed for this Scotch party, which was done. The Scotch party, however, did not come out; some misfortune occurred to Captain Grant, and the party became scattered; I believe part were shipwrecked, or lost at sea somewhere; that part of the plan therefore failed. The location on the Beka, called Fredericksburg, was set on foot, but on the return of Lord Charles Somerset, towards the end of 1820, that was also put a stop to, so that the whole of the ceded territory then again became vacant, and gradually a number of people from the frontier districts emigrated into it with their flocks.

577. Did Gaika give a willing consent to Sir Rufane Donkin at their interview to the occupation of the ceded territory?—I think from first to last the cession was an unwilling one. There was no force used of any kind, but the Caffres never would give up such a territory willingly, therefore, if they had understood that they could have resisted and re-occupied the ceded territory, even at the period of the discussion with Sir Rufane Donkin, I think the Caffres would have done so. They would have wished to recover the country back there is no doubt, but having lost the territory, and after having been dispossessed of it so long, the Caffres became more reconciled to it; and certainly there was no objections stated to Sir Rufane Donkin, but I think they were not at all more willing to give it up.

578. Then do you mean the Committee to understand that Gaika, when he ceded this territory to Sir Rufane Donkin, acted under the effect of intimidation on the part of Sir Rufane Donkin?—Most decidedly not.

579. Then is the Committee to understand, that although the Caffres still retained their objection to being dispossessed of the territory, yet, as they were dispossessed of it, it was a matter of little moment to them whether the territory was or was not occupied?—Yes; that is exactly what I wanted to convey, because it must be understood that in one instance the treaty contained the exclusion of the Caffres from that territory; and at the time of the second, the question between Sir Rufane Donkin and Gaika was merely whether it should be occupied on our part, the Caffres being then already excluded.

580. The question was whether a piece of land, which they, under no circumstances, were to occupy, was to be occupied by others or not?—Yes.

581. Do you mean that the Committee should understand that Sir Rufane Donkin proposed to occupy the location at Fredericksburg in a military manner, and not by settlers?—They were to be, as I understood, officers on half-pay and discharged soldiers, and settlers with them; but whether those settlers were half-pay officers or not, I cannot say; some of them, I know, were.

582. Where were the settlers coming out under Captain Grant to be located, as far as you know?—At the sources of the Kat River, adjoining the country now occupied by the Hottentots.

583. Was that any portion of the original ceded territory, or not?—Yes.

584. Were you aware that Sir Rufane Donkin's intention in placing the Highlanders under Captain Grant at the sources of the Kat River, was with the military view of having them, a strong and warlike body of mountaineers, to form the left flank of the military line of defence he contemplated, the right flank being at Fredericksburg?

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Fredericksburg?—I believe I adverted to that before; that the object of Sir Rufane Donkin in occupying the ceded territory was to have as dense and efficient a population in that country as possible, in order to enable him to give protection to both sides of the frontier.

585. Was that population to be a civil, or entirely of a military character?—They were certainly to be a civil body, but subject to being called out on military service.

586. But still they were to be colonists, in the ordinary sense of the term, only they were subject to military service?—Yes; Sir Rufane Donkin told me at that time, "As Captain Grant is, I dare say, an educated man, and a man who will be very efficient, from having been a military man, just to meet the objects I had in view, he may have a magisterial authority if he is fit for it, and at any rate he will be able to keep these people in such a sort of military discipline, as to be able to act against the Caffres in defence of the frontiers."

587. Were you present during the whole of Sir Rufane Donkin's negotiations with Gaika?—I think I was.

588. Do you recollect Gaika stipulating with Sir Rufane Donkin that the persons who were to be placed on the Beka part of the ceded territory were by no means to be unarmed settlers, but to be of a military character and description?—Yes.

589. At that conference was the occupation of the neutral territory considered by Gaika a violation of the original understanding, as respects that district of land?—No, certainly not; in the interview with Sir Rufane Donkin it was perfectly consented to.

590. You think that Gaika perfectly consented to the establishment Sir Rufane Donkin contemplated?—Certainly; he was only sent for to have that point discussed, and nothing more was discussed, but that point was settled, and Sir Rufane Donkin mounted his horse, and rode off.

591. Was that a voluntary arrangement, as far as Gaika was concerned?—Certainly.

592. Were any other chiefs consulted with respect to those arrangements?—No, he only came with two or three of his interpreters; we had been waiting for him a considerable time.

593. Was there any stipulation made by Gaika, as to the territory being occupied by Dutch settlers for instance?—With Sir Rufane Donkin there was no discussion on that point; for he had made up his mind that there should be no Dutch settlers.

594. Then, was there any subsequent discussion or understanding entered into, as to whether Dutch settlers were to be permitted to occupy it?—No; the whole of the discussion went through me, as interpreter, and I know that "occupation" was merely spoken of, and that sort of occupation that people should not go unarmed, and allow their cattle to run wild.

595. Did any Caffre irruption take place during the two years of Sir Rufane Donkin's government?—I cannot answer that; I was magistrate at Graaf Reinet. I was upon the spot with Sir Rufane Donkin, and formerly with Lord Charles Somerset, but being at Graaf Reinet in the interval I had no connexion with the frontier.

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*Veneris, 7° die Augusti,* 1835.

## T. F. BUXTON, ESQUIRE, IN THE CHAIR.

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Rev. *William Shaw,* called in; and Examined.

Rev. *W. Shaw.*

7 August 1835.

596. WHEN did you go to Southern Africa?—In the year 1820.

597. To what part of Southern Africa did you go?—First to Algoa Bay, and afterwards to the district of Albany.

598. Where were you settled at Albany?—At Salem, near Graham's Town; I went out as the minister of a party of 100 settlers who emigrated that year.

599. In what years were you settled at Salem?—1820, 1821, 1822, and 1823.

600. And where were you settled afterwards?—In Caffraria.

601. Where?—At Wesleyville.

602. How

602. How long were you stationed at Wesleyville?—About six years and a half. I afterwards returned and remained three years more at Graham's Town, in Albany.

603. What was the state of things between the colonists and the Caffres on your first arrival in 1820 in Africa, and for the time you remained there?—There had been very recently, viz. in 1819, a war betwixt the colony and the Caffres, which had just concluded by a peace having been made, by the terms of which a large tract of ground, since called the "Neutral Territory," was ceded as land to remain wholly unoccupied. Just at the time of our arrival there were comparatively few attacks made by the Caffres, probably from their painful remembrance of the recent conflicts that had taken place between them and the troops, and also, I should suppose, from the circumstance of there being at the time a considerable body of troops along the line of the frontier, making it difficult for them to enter the colony. This state of things continued probably for 18 months, with very little interruption during the latter 18 months; previously to my going into Caffraria, they began to enter the country much more frequently; many robberies were perpetrated and some murders committed just about the time of my going into their country.

604. Was intercourse with the Caffres at that time prohibited?—Very strictly; no white person except the military on duty was on any account allowed to go beyond the line of the frontier; we understood, and I have reason to believe that there was a military order, that any Caffre found within the colonial boundary was to be shot.

605. You were in Albany?—Yes.

606. Was there traffic with the Caffres previous to your going into the country?—Scarcely any, I might almost say none at all; Sir Rufane Donkin proposed to establish a fair at Fort Wiltshire, and, perhaps, once or twice the attempt was made but it failed, and several years passed away before the regular traffic was established at that place; there was, however, some traffic carried on by many of the settlers contrary to the laws of the country; excepting this contraband trade, there was no traffic of any kind between the Caffres and the colony at that period.

607. Had any attempts been made by the missionaries for the improvement and conversion of the Caffres previous to that period?—Yes; the London Missionary Society had sent over an excellent man of the name of Williams as missionary to the Caffres, and who immediately before the war of 1819, had been in the Caffre country, and he laboured there till his death, which took place about the period of the breaking out of the war; there were also two highly respectable individuals residing at this period at Chumie, in the character of missionaries, and also as Government agents, settled there after the war by our Government, and at the request of the Chief Gaika. They collected at their institution many of the people who had been originally instructed by the late Mr. Williams.

608. Did any benefit arise in the war of 1819 from Mr. Williams' influence with the Caffres?—I should think there was a decided benefit, for the only tribe that was at all in alliance with the colony during the war was the tribe with whom Mr. Williams had resided, the tribe of Gaika.

609. They remained faithful to the British Government?—Yes; I should, however, mention that the Government conceiving Gaika to be the legitimate king of the country, treated with him to the exclusion of the other chiefs.

610. In what part of Caffraria did you establish the first Wesleyan mission?—At Wesleyville, at a place a few miles beyond the river Kiskamma, which at that time was the boundary of Caffraria.

611. Were the number of the stations of the society increased afterwards?—Yes, in the course of the succeeding five or six years they were increased to the number of six stations.

612. In what parts?—Extending along the coast nearly as far as the river Oomzimvooboo, and including the greater part of the Amakosa, the whole of the Amatembu, and the Amapondas; the three great divisions of the Caffre race.

613. Had any previous attempt been made with any of those tribes?—Not with any of those tribes.

614. Which did you go to?—To the tribe of Pato, of the Amakosa nation, known amongst themselves as Amagonakwaybie tribe of Caffres, living directly on the borders.

615. How were you received by the chiefs of that tribe?—In a very cordial and friendly manner.

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616. Had they been accustomed to make predatory incursions in the colony before you commenced your labours among them?—Yes, they had been in the habit of doing so for many years, and some of their people had been recently shot while driving off cattle belonging to the settlers.

617. Do you think any dissatisfaction existed in their minds on any particular point, particularly with regard to the treatment they experienced from the colonists?—Yes; I had no sooner taken up my abode amongst them but they informed me, that one of the reasons why there was such a disposition on the part of their people to make inroads on the colony was, because they had for a long time felt exceedingly dissatisfied with the treatment they had received from the colonists, and they related to me the history of their inhabiting the country near Zwartz-kops river close to Algoa Bay.

618. That country which is now occupied by the British?—Yes.

619. Did they complain of their being driven out of their native land?—Yes, from the land they occupied for a length of time in that direction, and also of the manner of their expulsion, which was accompanied by the death of their father, who was killed by one of the commandoes at the time they were driven from the Sundays River, near Algoa Bay.

620. So that they had been removed from the Zwartz-kops river to the Keiskamma river?—Yes, but not at one time; during the previous war they had been driven from Zwartz-kops river to the Great Fish river, which, I should remark, was considered the boundary of the colony many years previously; but they had removed, as they told me, to the country on the western side of the Fish river in consequence of some arrangement that had taken place between them and the original proprietors of what is now called the Albany District, the tribe of Hottentots usually called in the colony Gonas, and sometimes confounded, from a similarity of names, with the Amagonakwaybie tribe, who are Caffres, and not Hottentots.

621. Then, in point of fact, they had been dispossessed in the course of a certain number of years, say thirty years, of the territory lying between Zwartz-kops river and the Keiskamma river?—That is the fact; I say nothing at present as to the justice or injustice of it, but that is the fact.

622. Can you form any estimate of the number of miles long and the number of miles broad that that district is?—It is not possible to speak with perfect accuracy on this point; but, in round numbers, I believe that 120 miles long by 50 miles broad, is not an exaggerated statement.

623. Did you feel it to be your duty to endeavour to remove the dissatisfaction that existed amongst these tribes, and to impress upon them the necessity of restraining their people from making incursions on the colony?—I did; but before stating the steps I took with the view of removing their dissatisfaction, I beg leave to add, in answer to the former question, that although they considered their previous expulsion from the country on the west side of the Fish river as a grievance, yet they considered that portion of the lost territory as completely gone, by the location of the colonists within its limits, and they did not wish to impress me that they had any thing further to say upon that subject; but they stated that they were especially dissatisfied with the more recent transaction, namely, the loss of the territory from the Fish river to the Keiskamma, in consequence of the treaty of peace entered into between Lord Charles Somerset and the Chief Gaika, at the conclusion of the war of 1819.

624. That is the territory now deemed the neutral territory?—Yes, their dissatisfaction had more especial reference to that than to the transactions previous to 1819.

625. What did they represent as their grievance there?—They represented that after the expulsion from the territory on the west side of the Great Fish river, the lands allotted to them were those from which they were again expelled by the treaty of 1819. They complained that the colonial government, who had concurred in assigning them a part of the territory betwixt the Fish river and the Keiskamma, expelled them from the country that had been so recently assigned them; and they especially urged that Gaika, with whom Lord Charles Somerset made the treaty by which they were expelled the country, had no right whatever over those lands, and that they ought to have been consulted previously to the alienation of their lands; in short, that they ought to have been parties consulted on that treaty.

626. Have you any further explanation upon that point?—No; the original cause of exasperation, viz. the having been driven from Sundays river to Fish river,

river, had passed away in a great degree from their minds; but they still retained a strong and painful recollection of their having been deprived of the country between Fish river and Keiskamma.

627. Did you feel it your duty to endeavour to remove this dissatisfaction amongst them, and to urge upon them the necessity of abstaining from making these incursions upon the colony?—I did; at a very early period, I induced the chiefs to call a council of their principal men, in order that I might have an opportunity of explaining at large to them, the evil that they would necessarily bring upon themselves by continuing the depredations on the colony, and of convincing them, that it was to their own advantage, that they should be at peace with their neighbours, the British settlers. On their urging the hardship of having been turned out of their country, and now being placed on the lands of a neighbouring chief, who was very jealous of them, I promised to represent their case to the colonial government, provided they would give me a pledge, to issue an order directly to the people to abstain from all further aggressions on the colony.

628. Did they concur in that proposition?—They did; orders were issued in my presence to the principal men who resided chiefly at the various fords, where cattle stolen from the colony must necessarily pass, to seize the cattle from time to time, and bring the depredators before the chief.

629. Did they show every disposition to attend to your suggestion?—They did.

630. Did you correspond with the colonial government respecting the lands, of which the Amazonakwaybie tribe complained that they had been unjustly dispossessed?—After some delay, which was occasioned by my anxiety, first of all to acquaint myself with the facts of the case, and to obtain information from every quarter that I could, I did correspond with the colonial government at considerable length.

631. And what was the result of that correspondence?—The result was that I prevailed upon the local authorities, in the first instance, to admit of their possessing a portion of this neutral territory, about one half of the tract in question; they were permitted to return to graze their cattle there, upon the tenure of good behaviour, and this arrangement was afterwards sanctioned by Earl Bathurst.

632. Who was the chief of the Amazonakwaybie tribe?—Pato was the principal chief, with his brothers Kama and Congo.

633. You considered the result of that correspondence was not the entire satisfaction of the chiefs, but only partially satisfactory to them?—Certainly, they were extremely glad when they learned that they were to obtain a portion of the country; but the very vague terms on which they were permitted to occupy it was any thing but satisfactory to them, and they wished to know whether it was to become really and in good faith their country; they were also particularly anxious to have the whole country restored to them, as the half of the tract was not large enough for their whole tribe; but as far as it went this arrangement produced a very good feeling on their minds, as they now perceived that some attention was being paid to their case.

634. What was the subsequent conduct of those persons; did they show that they were much more disposed to be on peaceful terms with the British Government than they had hitherto been?—Most decidedly they refrained from committing depredations in the colony from that time to the present, a period of about 10 years. There may have been instances of individuals belonging to the tribe (which is very large, consisting of nearly 10,000 souls), who committed occasional depredations; but the chiefs have always shown a disposition to punish the delinquents.

635. Have you any evidence to show that the three chiefs, particularly Congo, Kama and Pato, have since the period at which we allowed them to possess those lands, acted with fidelity and good faith towards the colony?—I could, if the Committee wished it, at a future day, furnish very considerable and satisfactory documentary evidence from the local authorities, both civil and military, and acknowledging the extremely good conduct of the chiefs during the whole of that period, and specifying various instances upon which the approval was founded. I will make extracts from the correspondence that I possess, which will be very decisive as to that question.

636. Can you specify any particular instance in which the three chiefs manifested a determination to adhere to the British Government, and act in a friendly manner towards us?—Yes; there was an instance of an individual amongst them who was charged with having committed murder in the colony, and informa-

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tion was sent to them that that individual was supposed to have returned to their country, as he had been in the service of one of the settlers; they immediately employed their men, who pursued him, took him into custody, and sent him to the colony, where he was tried before a court of justice for the crime which he had committed, and being found guilty was executed. That is one out of many instances of their conduct in furthering the ends of justice. Another instance which is in my recollection, and in which their conduct was extremely proper, and strikingly exhibited their disposition to act justly towards the colony, was the following: a few of them had obtained permission to accompany one of the principal chiefs to Graham's Town; on their return home two or three of them straggled behind, and met with a lad tending cattle, and putting him in fear, cut off a number of buttons, which at that time were extremely valuable to them, being used as we use money, from the lad's clothes. They then proceeded to their country, and this circumstance being reported to me, I caused the matter to be brought under the notice of Pato. He inquired into the circumstances from his people, and was extremely indignant at the occurrence, and to use his own expression, he said, " that these men had made the path dirty in which he had walked." He summoned them to a Caffre tribunal; the usual forms of Caffre law were proceeded with; the men were, on their own acknowledgment, found guilty, and a fine of eight cattle was ordered to be levied upon them; those cattle were sent to the colony, in order to be disposed of as the authorities there thought proper, and, if I am not much mistaken, Major Dundas was at that time the landrost of Albany, and probably may recollect some of the circumstances; at all events I have the correspondence which arose out of this affair, and which fully corroborates what I have now stated.

637. Do you mean to say that there was a general disposition on their part to bring to justice any person who committed acts of transgression against the British settlers?—Yes.

638. And this arising from the admission of this tribe to their original grounds?—Yes, and also from the increasing confidence of there being a disposition on the part of the local authorities to listen to their just complaints, and to do them justice.

639. What was the general state of feeling among the British settlers with regard to the Caffres?—I should say generally, among the British settlers, there was a very kind and friendly feeling towards the Caffre tribes, and an anxiety that they might be treated with on kind and just principles.

640. And though there were occasional depredations on the part of the Caffres, the prevailing wish of the respectable portion of the British settlers was, that the natives might be treated with kindness and justice?—Most decidedly; of course in a large community there would be found individuals not under the influence of right principles; but speaking of the community at large, I should say decidedly that they were influenced with a most friendly and upright feeling towards the Caffre tribes.

641. What was the state of feeling of the chiefs towards the colony during the last few years of your residence?—During the last few years of my residence in Caffraria, there was certainly a growing desire amongst the chiefs generally to be upon friendly terms and to live in peace with the colony.

642. What proofs should you adduce of this disposition on the part of the Caffre chiefs, to live in peace with the colony?—As a proof of that, I should adduce the circumstance of their giving protection to so large a number of British subjects during that period, who went into their country for the purposes of trade, &c.; and the very numerous instances of their actually complying with the wishes of the officers on the frontier, to check the depredations of their people.

643. When did you leave Caffraria?—Early in the year 1830.

644. Did this good feeling continue down to the period you left Caffraria?—I cannot say it did. About the year 1829 that good feeling began to be considerably diminished; I am not now speaking of the tribe with which I immediately resided, but we frequently heard in various parts of the country that the chiefs of some of the tribes were becoming uneasy and dissatisfied, on account of various circumstances that had transpired during the last few years I was in the country.

645. State what was the cause of this uneasiness on the part of the Caffre chiefs?—I should say the great cause was the expulsion of Macomo and other chiefs from a portion of what our Government deemed to be neutral territory.

I refer

I refer to the upper part of that country, and which is now called the Kat River settlement.

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646. Did the dissatisfaction arise from the settlement of the Hottentots in the Kat River station?—I cannot say that they particularly objected to the settlement of the Hottentots there, more than they would have done to the location of any other class of British subjects; but the dissatisfaction arose from the fact of their own expulsion, and the feeling spread very generally through the tribes in that part of Caffre land. I frequently remarked it, and an opinion gained ground amongst them, that there would be no safety for them on the border, as they inferred, from the expulsion of Macomo, &c., that there was a disposition to remove them further away.

647. You said just now there was a portion of the upper territory which the British Government deemed to be neutral; have you any doubt as to that being originally included within the treaty, as neutral ground?—Personally I can say very little to that; but I believe that Macomo and the chiefs immediately concerned with the matter, were of opinion that that ground had not been ceded by the former treaty, but that the treaty had reserved to the Caffres, that portion of the territory where the Macomos had been residing.

648. Was that a verbal or a written treaty?—I have always understood it was a verbal treaty.

649. You said there was a disposition, on the part of the Caffre chiefs, to cultivate amicable relations with the British settlers; had they the power to enforce this on the part of their followers?—I think wherever there was a decided disposition on the part of the Caffre chiefs to keep on good terms with the colony, they could easily enforce that amongst their own people; I do not mean that they could prevent the occurrence of any instances of depredation, but they could use their authority, so as to make those depredations very unfrequent.

650. To what cause do you attribute the recent irruption of the Caffres into the colony?—That certainly is a large and difficult question; I should say there was a concurrence of various causes, such as must always operate amongst ignorant and savage people; a love of plunder, a reckless disposition, and a miscalculation of their strength; but speaking more particularly of the immediate cause, I should say that the growing dissatisfaction arising out of the expulsion of the Macomos, and their being further disturbed after they had got within what was at that period called the Caffre territory, and various disputes and discussions followed by sundry changes as to the lands, on which the Caffres were permitted to reside in that immediate neighbourhood, produced such great dissatisfaction, as eventually led to a determination in their own minds, to attempt to right themselves, and if possible destroy the power, by which they were pressed onwards from their original country.

651. Do you think the Caffres felt themselves really aggrieved by the expulsion of the Macomos from the country they occupied, and the uncertainty which they felt, in the new situation in which they were located?— I am quite sure of that, and I remember at the time the agent of government addressed a circular to the different missionaries in the country, stating that there were rumours existing of a bad feeling among various Caffre tribes, and which the missionaries understood arose out of the state of feeling, which very soon followed the expulsion of the Macomos.

652. In your communication with the Caffres, did they treat you personally in a kind and confidential manner during your residence among them?—Most decidedly, I never received any thing but the most kind treatment from them; I was constantly living amongst them, and very frequently sleeping in their kraals unaccompanied by any other European.

653. And you never had any reason to apprehend any danger to your personal safety?—Not at all.

654. You felt yourself quite secure under their protection?—Perfectly so.

655. Was that the conduct pursued towards the missionaries generally?—I should think so from all I have heard.

656. Were the missionaries aware of the intention of the Caffres to attack the colony before it commenced?—I believe not; I believe they became aware of the fact only when it was just about to be commenced.

657. How do you account for the missionaries being kept in that state of ignorance as to the intention of the Caffres?—Simply on account of the firm resolution they had made to enter on the war; because if they had hesitated as to what they

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were about to do, they would have consulted the missionaries; but having made up their minds, they were determined not to consult them, as they knew the missionaries would endeavour to dissuade them from their purpose; of this I have evidence from what took place when one of the missionaries went to Macomo on the eve of the breaking out of the war, when he found him assembled with 600 or 700 men, and began to expostulate with him. Macomo refused to give him any answer; but after some time he merely said to the missionary, "We are bush bucks to-day;" by which he meant, that they intended to take the field. The matter was settled; they had resolved upon it, whatever might be the consequences, and that was the reason they held no communication with the missionaries upon the subject.

658. Have any circumstances transpired during the late irruption which illustrate the beneficial influence which the missionaries possess over the natives?—I should say that the conduct of the tribe of Amagonakwaybie, to which I have already referred, is a decisive instance of this. That tribe is large, and yet its chiefs have refrained entirely from joining in the invasion of the colony; and not only so, but they have rendered all possible assistance to our troops; at one period they garrisoned one of the military posts with 200 men, at the request of one of the officers; they also protected a large number of British subjects who would otherwise have been murdered; and ultimately they sent out 1,000 men to be under the command and control of the British officers, for any service that they thought proper to engage them in.

659. So that the fact was, that when the chiefs were treated with indulgence, and allowed to occupy part of the country which originally belonged to them, they became faithful and efficient allies to the British Government?—Speaking generally, that was the fact. However it must be recollected, that a portion of the Caffres in conflict had also been allowed the indulgence of residing in part of the neutral territory; I allude particularly to the chief Eno.

660. Can you give any illustration to the Committee of the influence which you personally derived over the natives?—In what way do you mean?

661. It has been understood, that in consequence of some benefit which you were the means of conferring on some of the natives, they considered you as a real friend of their's, and conferred upon you a title; we should be glad to know all the circumstances of that case?—That arose principally out of my interference with the tribe on behalf of a portion of females in the country who were under a very oppressive law, which had been established in the country from time immemorial; it was a law of such a nature as to be absolutely demoralizing in its tendencies as well as very oppressive to females. I therefore, having much influence with the chief, endeavoured to impress upon them the great evils that arose out of this custom, and the impossibility that there could be any improvement unless such customs were abrogated; after the council had been assembled, and much discussion had taken place with reference to the particular law to which I am now adverting, they decided that it should be abrogated throughout that tribe; it is the custom of the Caffres, when an individual has in any particular way distinguished himself, either as a soldier or otherwise, to give him some particular name which has reference to the circumstance, and upon that occasion the females of the country knowing that I had interfered for them, resolved on giving me a name which in their language is Kakalabafazi, which being literally rendered into English signifies "The Shield of Women."

662. We shall be glad to have any other facts by which you can show that they were not insensible to acts of kindness towards them?—If I were to look over my notes and journal I could find many similar instances which are not now present to my recollection; but, speaking generally, I should wish to say that I found them not at all insensible to acts of kindness, and so much the contrary, that they having some notion that I had promoted their interests, with reference to the correspondence with Government about the neutral territory, and other affairs, I had acquired almost unbounded influence over them.

663. What suggestions would you offer as to the future policy to be adopted towards the Caffres?—I should recommend most of those points which I have more particularly stated in a pamphlet that I have recently published, being a letter addressed to the Earl of Aberdeen, the late Secretary for the Colonies. The points suggested there I conceive to be of very considerable importance. I think our border policy should be better defined, and more stable in its administration. As to its general character, it should be at once just and kind; the local government

ment should also be placed in a position to be able to chastise any aggression of the natives, and chastisement should always immediately follow depredation; while, on the other hand, there should ever be a disposition manifested to redress any injury of which they may justly complain. The local government should support and protect them in the enjoyment of their rights, and especially of their right in the soil, without which the Caffres must ultimately prove a great scourge to the colony. If we deprive them of the soil, we deprive them of the means of sustenance, and we compel them to become robbers, and thus war must be perpetuated till we have extirpated them.

664. Give an epitome of your views upon the subject of improving the relations between the Caffres and ourselves?—I would respectfully suggest the following points:—

1. Clearly define and settle the future boundaries of the colony, by a written treaty with the border Caffre chiefs.

2. Offer to the Amagonakwaybie tribe, under Pato, Kama, Congo, &c. their entire ancient territory within the ceded country, on condition that they place themselves under the protection of the British Government, and become responsible for all stolen cattle actually traced into their district; in recapturing which they should be assisted when they require it by a British force.

3. Offer other portions of the ceded territory to any other friendly clans, who will comply with the same conditions.

4. Let a separate written treaty be made with the chiefs to whom portions of the ceded territory are granted, distinctly stating what the Colonial Government expects them to do, reserving a right of interference by the Government in their internal affairs, in certain specified cases; and also providing that such of the people as commit aggressions upon the persons or property of British subjects shall be amenable to the colonial courts of law. Let these treaties be translated into the Caffre language, and copies be given to the chiefs.

5. Let a Government agent be appointed to reside in some part of Caffraria, or on the immediate border. This officer should be duly authorized:—1. As the medium of communication betwixt the Caffre chiefs and the Colonial Government. 2. As the protector of British subjects who cross the boundary for the purposes of trade, or otherwise under the sanction of proper passports. 3. As a magistrate, with full power to arrest and send into the colony for trial any British subject who may commit aggressions upon the persons or property of the natives beyond the boundary of the colony.

6. Let an officer, with powers analogous to those exercised by the late slave-protector, be appointed to reside at Graham's Town, who shall be regarded as the protector of the native tribes. Let him act as counsel, or appoint proper persons to act in that capacity in the colonial courts of law, on behalf of the natives, in all cases where the subjects of the native chiefs are parties concerned. Let this officer be placed in an independent situation, as to the local government, and let him report his proceedings regularly and directly to the British Government.

7. Let the jurisdiction of the local courts be extended, so as to admit of the trial of offences committed by British subjects beyond the boundaries; or otherwise establish a court under proper regulations specially for this purpose.

8. Let a lieutenant-governor be immediately appointed for the eastern province of the colony which includes the border districts. Let him be assisted by a legislative council. Let the residence of the lieutenant-governor, and consequently the seat of government, be fixed at Graham's Town, which is admirably situated with reference to the Caffre border, and is also sufficiently central for the convenience of the other districts, included within the limits of the eastern province, as defined by the late Commissioners of Inquiry.

9. Let the local government be instructed to aid the missionaries of the various denominations in their attempts to promote the conversion, moral improvement and education of the Caffre tribes. Let annual grants of money be made to the various Missionary Societies in that country, and let the sums so granted be distributed in fair proportions, with reference to the number of schools established, and natives instructed by each society.

665. Is it your opinion, that we, having driven them from so large a space of country which they had previously occupied, are under an obligation to confer upon them all the benefits of knowledge, civilization, education and christianity that it is in our power to bestow?—Undoubtedly, and it will be the best interest of the colony to do so. It will be conferring a boon upon colonists to promote the moral improvement of the Caffres. The increase of the British settlers on the borders requires that this should be done, as I conceive it quite impossible that peace can long be maintained between the Caffres and the Borderers, unless the savage habits arising from ignorance and paganism be erased and removed.

666. Have you any experience of a diminution of the population having taken place among the nations of South Africa, in consequence of the seizure of their territory?—I cannot speak as to that.

667. Do you know the fact whether the numbers have increased or diminished?—I think the numbers of the Caffres have increased, the country is a very fruitful

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country which they now enjoy; and I should conceive, from the abundant means of subsistence which they have had, that the population has rather increased than diminished among the Caffre tribes. I do not think the same as to the Hottentots.

668. You must have a considerable number of the Caffres, who were formerly residing between Fish River and Keiskamma?—The difference is, that they are crowded up very inconveniently in the tract of country they now enjoy, which is one of their causes of dissatisfaction. In consequence of their habits, they depend principally upon grazing, which, especially in that country, requires a large space of ground, for changing the nature of grass at different periods of the year. It is that which has caused them so much inconvenience, being crowded within such narrow limits; and of course the evil becomes greater as the population increases.

669. You say they have increased; within what period would you fix the increase?—I should think within the last 40 years they must have increased; all the accounts we have of the population about 40 years ago would lead me to that conclusion, that there must be a larger number of Caffres now than there were 40 years ago.

670. Within the period you were in that colony do you think they increased?—It would be difficult to say; I know of no cause that would be likely to produce a decrease during the period I was there, as there were no transactions involving any considerable sacrifice of life during all the time I was there.

671. Do you not think that the being deprived of so large a portion of the country, would tend to reduce the population?—It must in the course of years for this reason, that it would bring on disputes; it would necessarily generate frequent wars and collisions between the tribes themselves on account of the want of ground, and it has already partially produced that effect.

672. Are you aware of any efforts that have been made, not by the missionaries, but by the British Government towards the civilization and instruction of the Caffres?—I am not aware of any attempts having been made upon an extended scale; I believe the Government had in view to improve the Caffre tribes, when they endeavoured to establish a trade with them, which was done at the earnest request of various persons interested in the improvement of the Caffres; as to any direct measures of an educational kind, or any thing of that sort, nothing has been done there.

673. Did you, or other missionaries, give the Caffres any information upon the subject of the arts applicable to their improvement in civilization?—Yes, we introduced the plough in all our stations, and it has been employed as an implement of agriculture by several of the chiefs connected with the Wesleyan station. The purchase of a plough was to them a difficult thing, but seeing the advantage of it, they endeavoured to obtain it and also waggons, which is another very important acquisition in that country; several of them are now possessed of waggons and teams of oxen; they have also, in many instances adopted the European costume. They built a very beautiful village at Wesleyville, containing a number of dwellings which were erected for their own residences, and built much in the same style as the houses of the European settlers.

674. You think, that were efforts made for their improvement and civilization, they would respond to those efforts, and they would gain ground?—Undoubtedly; I cannot at all concur with those who denominate them irreclaimable savages.

675. Have you any thing especially to recommend with reference to the Caffres under Pato, Kama and Congo?—I should especially recommend, that as they have kept good faith with the British the British should, at least, keep good faith with them; and in the settlement of various questions that must arise out of what has recently taken place, I would especially recommend that the lands originally belonging to them should be restored to them. If those lands are now, or should become within the colonial boundaries, of course it should be a question put to themselves, whether they would be willing to come under the dominion of the British Crown. I am of opinion, that they would be very glad to place themselves under the protection of the British Crown if we granted to them the enjoyment of these lands.

676. If placed under the protection of the British Crown, do you suppose that they would submit to the restrictions of British law?—There would be some difficulty about that; my own idea of the matter is, that they might in some such way, as several of the independent petty states that exist under the protection of the East India Company in the East Indies, be allowed to possess a kind of internal jurisdiction, that is, exercise the right of administering their own laws amongst

amongst their people, and within the limits of their own country. In some such way I should think that a satisfactory and clearly defined arrangement might be made with them.

677. Did you not cross the frontier to reside among the Caffres at a time when it was supposed that no European could go among them without peril to his life?—It was considered at that period to be an exceedingly hazardous step, and numbers of my friends tried to persuade me from going among the tribe, as they were the principal depredators during the war of 1819.

678. What were the tribes with whom you resided?—The principal Caffre tribes with whom I resided were those of Pato, Kama and Congo.

679. What was your reception?—Very kind and cordial. They were extremely glad to see me, and received me with loud huzzas, as if I had been making a triumphal entry when I took up my residence with them. I had, however, made a previous visit to the chief for the purpose of obtaining permission.

680. Did you declare yourself at once as coming amongst them for religious purposes?—I declared that upon my first visit, requesting permission to reside there.

681. Was any allusion made to the state of hostilities between the two parties, the British Government and the Caffres, at the time of your arrival amongst them?—Not particularly at that time, but shortly afterwards they began to give me the information which I have already detailed, being an account of what they conceived to be the ill-treatment they had received.

682. Without reference to their kind reception of you, did you find them uncivilized and sunk in ignorance?—I found them in an exceedingly ignorant and degraded condition.

683. How did you acquire influence amongst them?—Very gradually, and by taking all opportunities of proving myself their real friend.

684. And being so superior in knowledge?—Probably that had its influence; no doubt it had.

685. For instance, had they not a superstition that there was a class of persons amongst them that could produce rain by certain incantations?—Yes.

686. How did you expel that superstition?—Generally by preaching against it. There was a particular instance of the kind alluded to, which, if the Committee think proper to hear I will state; it was not a very long time after I went into the country. There was a severe drought, and the people were reduced to great straits for want of rain. During that period, knowing I should have the principal chiefs at divine service, I preached on one occasion a sermon expressly against the current superstition, and declared that no man could make the rain; that they must look for that blessing to God Almighty alone. Almost immediately on concluding the service the principal chief Pato, who was present, together with his brothers, came up to me and said that they were determined to have the matter reasoned out between me and the rain-maker, who, they said, insisted that he could make the rain, while I insisted he could not, and therefore we could not both be telling the truth. They appointed a time and place to meet together. I went at the time appointed, and was not a little surprised to find, upon my arrival there, at least a thousand of the tribe assembled together, and they were performing a number of those curious evolutions such as they are accustomed to go through when in the act of endeavouring to obtain rain. Without any previous discussion the chief told him he was to begin, and he delivered a long address, the import of which was to remind the people that upon many previous occasions he had actually assisted them, and that they were so sensible of the fact that they had actually made him large presents of cattle for it. His address produced a very considerable effect. After he had finished the chief told me it was my turn to speak, and I also spoke at considerable length, and there was a great deal of anxious attention to what I stated; and whatever they had thought previously, my argument (if such it might be called) appeared to make an impression upon them. The people were much interested in it; and as I happened to remark, it is very extraordinary if you have the power of making the rain that you should not use that power? These people are your friends; they have not done you any harm; why withhold the blessing from them? and while thus speaking I pointed to his own herd of cattle, which were grazing on an opposite hill, and said, there are your own cattle, lean and meagre, ready to perish for want of grass; and I put it to him, if he had the power to make rain, how it was he did not use the power. This seemed to puzzle him a good deal, and excited much

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attention. He quickly recovered himself from his apparent embarrassment, and said, "I would give rain; I might make rain, and I have been trying to get it for some time. I would give it now, but you are the hinderance" (pointing to me with the view of exciting the people against me). I demanded an explanation in what way I hindered the falling of the rain? He said, "That thing you brought into the country, and set up upon a pole that stands near the great house where you have the talk" (meaning the chapel), and the thing he referred to was a bell set up there for the purpose of assembling the people to worship, "for when I have collected the clouds, and the rain is ready to fall, that thing goes tinkle, tinkle, tinkle, and the clouds are scattered and no rain can fall; it passes away." The result was, that a great part of the people of that tribe went away quite satisfied that they had been under a great delusion on that subject, and from that time to the present, throughout the tribe of Amagonakwaybie, under Pato, this debate put an end, amongst the mass of them, to their notions on the rain-making system.

687. Judging from your last statement, you found the tribes of the Caffres with whom you resided in a very depressed state of intellect with regard to the Deity?—Yes; they had some very confused notions of the existence of God, but extremely vague.

688. Are they idolaters?—No, they are not idolaters, but they have the fragments of some very ancient system of religion still subsisting among them, in the form of a number of singular observances which they do not connect with any religious institution, though we know they must have been originally instituted for religious purposes; as for instance, circumcision, burning incense, offering sacrifices and oblations; and the rain-makers themselves I regard as the successors of a former race of priests.

689. Did you find them bigotted to their superstitions?—Yes, very much indeed, to their ancient superstitions.

690. Were they averse to receive any instruction in christianity?—They disputed every inch of ground with us; they were willing to go into inquiry, but we found them very different in that respect to the Hottentots in the colony, who always receive with implicit credit what is stated to them by their teachers. The Caffres exhibited considerable powers of mind, and were not willing to receive any dogma until it was proved to their satisfaction.

691. To a certain degree you were ultimately successful in inculcating the doctrines of christianity?—Yes.

692. Describe the result of that inculcation?—A description probably of one may be taken as a sample of the rest. At the station of Wesleyville we had several hundred persons in immediate connexion with the station; and the natives who came there abandoned polygamy when they became residents of that village; amongst those we had our principal attendants at the place of worship, and amongst them we had not a few who received baptism; and there are at this time about 80 persons in that station who had embraced christianity, and who were not only believers of the doctrines of christianity but very excellent christians.

693. They had become communicants?—Yes, and a large number not contained in the list of communicants had become believers generally in the doctrines of christianity, although we had not as yet received them as members of the christian church.

694. How many places of christian worship were there in Wesleyville?—There were two places in connexion with Wesleyville station within a few miles of it; but we used generally, when not at the mission village, to worship in the open air.

695. Did you also establish schools?—Yes.

696. Did you find the children intelligent and docile?—Very intelligent indeed; the children were exceedingly apt at learning; and I have known many instances of their learning to read with facility in their own language; and at this moment there is a considerable number of young persons who can read the New Testament in their own language.

697. Who prepared the New Testament?—I should state that it is not the whole of the New Testament but different portions of it; it is being printed at the Wesleyan Mission Press, at Graham's Town, having been translated partly by the Wesleyan and partly by the missionaries of the other denominations.

698. And what parts have been rendered into their dialect?—A great portion of the New Testament, the four Gospels and several of the Epistles, the whole of the Pentateuch, a great portion of the Book of Psalms; and some other portions of the Old Testament are now perfectly ready, having gone through many careful revisions; some portions are now being printed at our press at Graham's Town.

699. What

699. What is the distance between Wesleyville and Graham's Town?—About eighty miles.

700. Was there not recently a normal school established in Graham's Town, under the name of Watson's?—Yes, there was one intended to be established, and called Watson's Institution.

701. Was that for the purpose of preparing schoolmasters to go into the Caffreland?—That was what was intended; it was a scheme that I came home, among other things, particularly to recommend, hoping that we should be able to induce the Government to assist in its support, and it would have been commenced but for some unforeseen local difficulties which had arisen; and the carrying into effect this important measure is now further delayed by the unfortunate rupture between the Caffres and the colony which has taken place.

702. Was not that institution projected in consequence of the progress made by the Caffres in civilization and christianity?—Undoubtedly, on account of what we conceived to be the increased fields for the spread of education.

703. And also with reference to the number of recipients?—Yes; the number desirous to be taught whose cases we could not reach by our present establishments, because the funds of our missionary society would not allow the employing of so many Europeans as is necessary for schoolmasters; we thought it probable therefore, that by instructing natives to teach, who could live on a lower scale of salaries, we should thus have a larger number of schools without very seriously augmenting the expenditure.

704. Is it likely that in consequence of the unfortunate occurrences which have recently taken place that all these new christians are likely to be dispersed?—That may be the case in some places; but I should have remarked that none of those who have been immediately connected with the Wesleyville Missionary Institution have in any way been mixed up with the tribes that have been in hostility with us. They continued at Wesleyville, and have remained together; not a single instance has occurred of any Caffre belonging to our religious society having joined their countrymen in hostility against us.

705. Did you preach in their own language?—Yes; sometimes with and sometimes without interpreters.

706. Do you imagine, with regard to those persons of whom you have been speaking, who have become christians, that they would be acceptable to the natives of Caffraria as teachers?—Yes, to the young persons intended to be instructed at the school.

707. Those eighty persons of whom you speak as having been baptized and become communicants, do you think that as teachers they would be more acceptable to their brethren than yourself?—Not more acceptable, but they are very glad to listen to their countrymen in the character of teachers.

708. They do not despise them?—No, not at all.

709. Not in the same way as the natives in the East Indies treat a man who has lost his caste, and gone over to christianity?—No, there is no feeling of that kind; their respectability is rather increased in the estimation of the Caffres than otherwise.

710. Did you take any steps with a view to send out these persons among their brethren?—Yes; in the religious society to which I belong, it is part of our system every where to employ the natives whom we deem qualified to teach, and we are accustomed to send those persons round the villages on a regular plan for the purpose of imparting instruction.

711. The natives who are converted?—Yes; the second chief, Kama, is himself one whom we regard as a true christian, and having made considerable progress in his knowledge of christianity, he very frequently assembles the natives for religious worship, and gives them instruction.

712. How do the missionaries introduce themselves to the native tribes; is it to give them instruction in religion, or is it for imparting to them useful knowledge the other kinds?—Both; the missionary considers he is proceeding to reside amongst them on both grounds.

713. Do they seem to comprehend pretty clearly the objects of the mission?—I think they do not very clearly comprehend them in the first instance; but in the course of a very short time we find they attain to a very distinct understanding of the particular objects we have in view in residing in their country.

714. Do you join them in any of their agricultural or worldly pursuits?—Yes,

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we used very frequently to assist them, by suggesting improvements in the mode of the cultivation of the soil, and on other points.

715. Can you afford us any information regarding any of the tribes in the colony, besides the Caffres?—I do not think any information I can give to the Committee would be of any considerable value; I only refer to the Caffres, inasmuch as nearly the whole of my time was spent among them; and therefore, I am better acquainted with them, than with the other native tribes.

716. You said that the good feeling which existed between the Caffres and the colony, began to be materially diminished about the year 1829: did that arise from the system of proceeding into their country, and seizing cattle in any degree; you have attributed it to a variety of causes but you did not mention that?—Yes, that was undoubtedly a considerable source of annoyance, and frequently arising, they always complained of the system of entering their country and taking away cattle, on which occasions notwithstanding every disposition to avoid it if possible on the part of the gentlemen who commanded the troops, it sometimes happened that cattle were taken from parties who were not at all implicated in any aggression, and that was a continual source of complaint; but as they sometimes had the means of obtaining redress, though not always, I do not think that this system was the chief, though it might be the immediately exciting cause of the late aggression, but there is no doubt it was one of the many concurrent causes of the bad feeling that has been produced.

717. In those cases, is it not almost impossible to prevent the innocent suffering with the guilty?—With that system it was utterly impossible; I am of opinion, however, that it would be possible to point out a mode by which that evil may be remedied, and the cattle be taken from the guilty alone, without involving the necessity of taking away the cattle of innocent persons.

718. What was the character of the traders who went into the Caffre land?—Of course in so large a number of persons there was a great diversity of character; a number of them I considered to be very worthy, sensible and good men, but I cannot say that they all bore that character.

719. In their dealings did they act justly and fairly towards the natives generally, so as to cause them to respect them on that account?—There was a great competition after a certain time, and from this I think the natives usually obtained the full value of their commodities.

720. You spoke of the character of the soil as requiring a large tract of land to support comparatively a small amount of population; I presume the land there is somewhat of the character of Swellendam?—I am not particularly acquainted with the neighbourhood of Swellendam; the Caffre country is much finer than many parts of the colony near Cape Town.

721. They are a pastoral nation?—Quite so.

722. Not growing crops?—No; they do certainly grow various sorts of grain, but their principal dependence is upon grazing.

723. Principally from the milk of cows?—Yes.

724. Have they any kind of manufactures at all?—Nothing that can be called manufactures; they make a kind of coarse pots and baskets for their own immediate use. They also forge their iron instruments of war.

725. Have you not heard that in depredations on the colony they have chosen the best breed of the cattle to take away; that they have chosen the best milking cows out of the herd?—I have known that to occur during their occasional depredations. I remember at this moment complaints having been made to me in the country, that individuals have lost very choice specimens of cattle.

726. Under the commando principle, the boors or farmers who lose the fine cattle, would only be entitled to receive again the same number of head of cattle? —That is the commando principle.

727. Then he would be a great loser under such circumstances?—Of course.

728. When did you leave the colony?—In the early part of 1833.

729. Following up your idea that the innocent are very often punished for the guilty according to the system adopted now; how could you prevent that; what would you recommend to prevent it?—I think the best plan would be to do what is now partially done; viz. to follow what we call the "spoor," the trace of the cattle until it enters the district belonging to some chief; and my plan would be to divide the whole border into districts, and to make every border chief understand that he is responsible for what occurs on the particular line included within the two boundary points of his district; the spoor of stolen cattle being traced

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across the line into the territories of any one of the border chiefs, I should recommend that our troops or the patrol should not proceed any further into the territory of that chief, but remain on the spot till a messenger could be sent to inform the chief responsible for that district of the fact, and require his immediate attendance at the place, and on his arrival there, I should think it would be proper that the officer in command should state the number of cattle lost, and show that the cattle were traced to this point in his own country, and that it now became his business, and that he must either trace out the cattle or become responsible for restoring the number of cattle stolen, together with a specified number by way of penalty, which I think should always be demanded in addition to the number lost.

730. Do you think that the native chiefs of Caffre land would be likely to consent to that?—I think so, but I will proceed still further to explain my views; some general regulation should be made upon the subject. The patroles should be required to wait at least a reasonable time for the purpose of receiving a communication from the chief; and if he returned within the time with the amount of cattle required all would be settled in a satisfactory manner; or if he returned and said that he had traced the spoor out of his district to some tribe beyond, and he wanted assistance to enter into the territory of the tribe beyond him who might be more powerful, in that case the troops should proceed to his assistance, and then the next chief should be held responsible. On this system the spoor would seldom go beyond the territory of the first chief, though sometimes it might, and that chief should be required to return the number of cattle, and the troops should be so prepared, and having communication with the rear as to be able to keep the field, and not return home until the matter was finally settled; if the chief refused to do what was right I would have the troops not leave the country, but report to the commandant of the frontier, who should immediately authorize them to make reprisals upon the cattle of the kraals within that district wherever they could seize them, full explanation having been previously given that that would be the result, and then I think there would be no impropriety in seizing the cattle as the ultimate and only remaining mode of redress. If this system were steadily acted upon, I am persuaded it would have a most beneficial effect. It is precisely the Caffre system; the plan the natives themselves adopt of tracing cattle that are taken away, when they find that they have entered the territory of another chief, they do not dare to proceed further until they have sent a messenger to him, and he immediately sends a person who carries what is called his tail; that is, a stick having the tail of a lion or tiger attached to it, a sort of staff of office, and by means of that he permits them to proceed until they come to the kraal which has committed the depredation.

731. There is no difficulty in continuing the trace of the spoor, I apprehend?—I think not, if the force be sufficient.

732. I understand the spoor of the Caffre is dissimilar to that of the Hottentot and European, and there would be no difficulty at all about it?—The Hottentots of the colony connected with the Cape corps, some of whom should always be of the party, perfectly understand the mode of following up the spoor.

733. I presume, therefore, you would recommend an augmentation of the Hottentot corps. I infer, from what you have stated, that you would always have a force ready to punish depredations committed?—I should most decidedly recommend an increase of that corps. My own impression is, that one of the greatest errors committed in the system of defending the frontier was the diminution of that corps several years ago.

734. What, in a local judicial point of view, would you recommend further. Would you not recommend that a lieutenant-governor, or a person with proper authority, should be appointed at Graham's Town, always on the spot, to receive either complaints or addresses, or the representations of the Caffres when required to go there?—I hold that to be indispensable, and there will never be any settlement of these matters unless there is a proper local authority.

735. The distance being between 600 and 700 miles from Graham's Town to Cape Town, what is the method of travelling across the country?—On horseback.

736. What time does it take?—The mail-post traverses the country in four or five days upon horseback.

737. If troops were required from Cape Town at Graham's Town, they would be obliged to be sent by sea?—Undoubtedly.

738. Therefore a great delay would be occasioned?—A considerable delay; sometimes from the prevailing winds a long delay might happen, as well as from

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the dangerous nature of the coast; indeed it is impossible to say what circumstances may occur to occasion delay.

739. Do you conceive if more settlers were to go to Albany, and numerous enough to create a kind of militia, that that would not be attended with very beneficial consequences; that they might be called out and arranged into a corps when necessity required?—I think it would be very desirable that the inhabitants should themselves become a corps of volunteers on some well-understood plan, calculated to give effect to it; and if that was the case, in order to prevent an irruption and protect themselves, I think they would willingly submit to some easy method of giving effect to a scheme of this sort. There is at present no such system in existence. In that respect the old Dutch colonists are better organized and more prepared against Caffre depredations than the British settlers.

740. Do you think it very desirable that that should be so?—I think so.

741. The chief Kama has been converted to christianity?—Yes.

742. He has ceased to be a polygamist?—Yes; we commenced our mission when he was comparatively a young man, and he had but one wife, the daughter of the late chief Gaika, though there were many attempts made by Hinza, and other chiefs, to induce him to contract matrimonial alliances with the principal families of the country; from the influence of christianity and his religious principles he stood aloof from any engagement of that kind.

743. There have been a great number of boys and girls sent to the Cape of Good Hope by an admirable society—the Childrens' Friend Society; can you tell me what has been the effect. Have they done very well?—That has occurred since I left the country. I think it would be certainly advantageous to the children and the colony.

744. Do you think it desirable that the numbers should be increased?—Certainly, that is my impression. I do not know how it works in practice, but that was my own idea before I left the country.

745. Perhaps colonization, to take place in that way, is better than by adults?—Probably so. I think a well-regulated emigration to that country would be a decided benefit to that country.

746. Do you suppose the chiefs would be induced to enter into a treaty by which this system of discovering cattle that may be stolen might be carried into effect. Do you think they would bind themselves by an engagement to do it, so that it might not seem to be the act of the colony only, but the joint act of the two parties?—They have frequently proposed it; and I should further explain, that a system of that kind has been partially pursued, but I think it has not been acted upon so regularly and systematically as it should be. Instances have come under my own knowledge of that plan being adopted, and with good effect.

747. If it was made the subject of treaty, it would be likely to be steadily followed up, because then it would be the act of the two parties together, and would be more steadily pursued, and would be more operative in its consequences?—Yes; and if steadily pursued, I have no doubt as to the good effects of it.

748. Are not the depredations that have been committed upon the inhabitants by the Caffres more in times of drought, showing that it was the effect of poverty acting upon them, or are the depredations the same at all times?—I have heard it stated that in times of drought and great scarcity the depredations are more frequent, but I should not wish it to be understood that my opinion is, that it was exclusively from want that they committed these depredations.

749. An account has been very recently received of the Caffres being entirely expelled, and a portion of the country taken from them to the extent of 7,000 square miles; supposing that to be the fact, is it your opinion that the expulsion of all these persons to a great distance will be disadvantageous to the welfare of the colony or not; should we understand that the whole of that district will become a wilderness?—Upon the fact, whether it is to remain vacant or not, will depend in a considerable degree the effect it will produce hereafter upon the frontier; if any large portion of it is to remain as a vacant country, then I should say nothing could be more impolitic, as we have proved by our experience of the neutral country; I think nearly all parties have been satisfied, that while that remained totally uninhabited it was a mere den of thieves, and afforded the opportunity of secrecy to robbers, which they could not possibly have had if the two boundary lines had been approximated, for no chief could be held responsible for the vacant country.

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750. Would it not be very difficult to supply a new population there, and where would they procure it from?—I have understood that the class of persons called the Fingoes, are to be brought into that country.

751. From what district could they be procured?—Principally from the territory of the chief Hinza; they have been living in all parts of the Caffre land; they are a class of refugees driven into Caffraria some years ago, in consequence of wars in their own country.

752. Are they peaceable, well-disposed people?—They are of much the same kind as the Caffres themselves; they are in a very deplorable state, being in a kind of slavery among the Caffres, but their habits are precisely the same as those of the Caffres.

753. Supposing the Caffres to be expelled from this immense tract of country, whither would they fly?—They must be crowded together between the Kie river and the Bashe river.

754. They will be reduced probably to great misery?—I should think their being crowded up so much in that limited tract of land, will, of course, involve them in great difficulty.

755. The natural consequence of such misery will be constant inroads upon the territory from which they have been expelled?—I think that is very likely, and perhaps still more arising from the greatly increased exasperated feeling which I am sure they will entertain from the remembrance of losing their entire country.

756. Under the deficient information which we have before the Committee upon that particular point, is it your opinion that the expulsion of the Caffres from a territory of the immense extent reported is very undesirable?—That is a question which under all the circumstances I should feel some difficulty in answering at this moment; but on the first view of the case since I heard the intelligence to which you allude, it struck me as being a very injudicious and disadvantageous measure; but as I observe from the public prints, the declaration of the Kye river as the future boundary of the colony, has been made so formally, and in the presence of some of the leading Caffre chiefs, whether cancelling a measure of that kind now would be wise, is another question; I should however certainly say, if the present arrangement should be confirmed by the King's Government, it would be highly desirable to make some arrangement with a portion of the people who are expelled so as to allow them to re-occupy part of the territory with the understanding that they are hereafter to be British subjects, and I think they would rather come back to the territory as British subjects, and submit to any regulation which our Government would be likely to impose, than be entirely expelled from the land.

757. Do you not think such an arrangement is likely to take place, because, from motives of humanity as well as policy, the British Government would not drive a large population from their country that might endeavour hereafter to support the colony by their contributions?—I should think so; it must appear desirable on those grounds.

758. There is nothing in the public dispatches that would prevent the Caffres coming and taking the possession from the British Government?—I understand the terms of the proclamation to amount to this, that the chiefs who have been engaged in the recent hostilities are to be perpetually banished from the country now taken possession of.

759. Do you conceive the extent of the territory mentioned in these newspapers is accurately described?—It is mentioned in round terms, and I should not think it very much exceeds the extent of territory; it is a large territory; I speak without much consideration on the subject, but it does not strike me as exceeding the extent.

760. Is there any disposition amongst the Caffres to connect themselves with the colony, and to become, in fact, subjects of His Britannic Majesty?—With the limitations I have before spoken of, I should speak decidedly of Pato's tribe, that they would be willing to place themselves under the protection of the British Crown as subjects, consenting that any crimes committed upon British subjects should be tried by British law; but I think they would wish to save the right of having a local jurisdiction in matters purely arising among themselves, deciding causes betwixt Caffre and Caffre; but I feel confident they would be prepared to consent that any depredations committed by their own people upon British subjects should be tried by the British authorities.

761. What I mean is, whether the Caffres would do such and such things in the

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colony as the Irish in England, namely, come and live and place themselves under the same Government, existing as the people of the colony?—They are very willing to do that; that was tried on a large scale, and great numbers entered the colony and engaged as servants to the British settlers. It was, however, thought that this system did not answer very well, and some fears arose as to the consequences. It was found to be very difficult to bind many of the Caffres to keep their engagements with their masters, and in consequence of that the system was not generally persevered in.

762. How long were you in Caffraria?—About seven years, I was a resident there, and frequently performed journeys there for three years besides, so that for ten years I have been intimately acquainted with the Caffres and the Caffre land.

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*Lunæ, 17° die Augusti*, 1835.

## CHARLES LUSHINGTON, ESQUIRE, IN THE CHAIR.

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Captain *Spiller*, called in; and Examined.

Captain *Spiller.*

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763. I BELIEVE you are an officer of artillery?—Yes.

764. Are you lately returned from the Cape of Good Hope?—In December last.

765. Where were you stationed in the colony?—I was principally on the frontier in Graham's Town, for 14 months.

766. Have you ever been employed in service against the Caffres?—No, not personally; there was a commando at the time when Macomo and Tyali were driven out of the Mankazana, the Cape mounted rifle corps was employed in expelling them, but I was not required for that duty, as artillery was not deemed necessary.

767. Does the duty of patrolling devolve entirely upon the Cape corps?—Yes, entirely.

768. Are the infantry employed upon other occasions?—They were never employed while I was there in patrolling.

769. In your opinion, is the present strength of the Cape regiment equal to the defence of the frontier?—Decidedly not; and they were very much harrassed when I was there with the duties they had to perform.

770. What increase would you recommend?—It entirely depends upon circumstances; but they require a great increase no doubt, for the line of frontier is very extensive.

771. But in truth late events would render it very difficult for you to give an opinion upon that point?—Yes; but according to the old line of frontier their strength was very inefficient; very much so indeed. The men were very much harrassed, and the Caffres, in consequence, were able to commit many depredations, which had there been more constant patrolling and on a more extended scale, would have been prevented, and it would very much add to the security of the frontier.

772. During your stay on the frontier, you must have had opportunities of judging of the system pursued towards the Caffres; what is your opinion of it; was it uniform or not?—Certainly not; it was not considered uniform, and I believe they felt it was not so themselves, as far as my intercourse with them went. I was a short time with a party of Caffres, over which Pato, Cobus and Kama; were chiefs, and I know from what they said at that time, that they thought the system was not a well defined one or effective, and I believe it was so considered among the inhabitants of Albany.

773. If a uniform system were adopted, with reference to the natives, do you think they could be relied upon to abide by it?—Yes, I think so decidedly; I think it proceeds from the want of a sufficient force to keep them in subjection, and to prevent those depredations among them. Had there been a stronger force on the frontier and consequently more looked after, they could not have committed those depredations.

774. Generally speaking, do you think well of the habits and dispositions of the Caffres?—He is an habitual thief; decidedly so.

775. How

775. How does that comport with what you stated just now, that they would be disposed to respect treaties and engagements?—If they knew they could not carry on their depredations without being punished, I am satisfied they would adhere to treaties; having been treated with great lenity, they have construed it into weakness on our part, and therefore presumed upon that, and from that circumstance have committed great excesses.

776. Do you think them perfidious?—Decidedly so.

777. Have you not known instances among the chiefs of very magnanimous and spirited conduct?—There was no act occurred during the time I was there of that kind, but I have heard instances in which they have evinced such a feeling.

778. Who was the commandant on the frontier when you reached it?—Colonel England.

779. Has the commandant authority to act upon all occasions, or must he apply for orders from the Government?—He must apply to the governor upon all matters of consequence, but upon subjects of no great moment he acts upon his own responsibility; but all matters of importance are referred, I know, to head quarters.

780. Do you remember the expulsion of the chiefs, Macomo and Tyale?—Yes.

781. Did that event cause much sensation among the colonists as well as the Caffres?—Yes, it did.

782. In what way?—It was viewed in different lights, principally because it was considered rather a partial expulsion; there were other chiefs who were considered more deeply implicated than either Tyali or Macomo; Eno, for instance; so much so, that I remember an instance, in which an officer stationed at Guatana, when Eno contemplated seizing his post; I do not know whether it was preceding the expulsion of the Caffres from the territory, but it is a fact very well established, and that officer got his information from one of Eno's Caffres.

783. On your return to Cape Town, had you any communication with the governor, Sir Benjamin D'Urban, on the subject of the frontier system?—I certainly had a conversation with the governor, on the subject of the Caffre measures; having so recently returned from them, he asked me several questions, and seemed very anxious to proceed to the frontier.

784. Do you think that a governor, residing at a distance of 600 or 700 miles, is competent to administer such a system as may secure the peace and protection of the frontier, without some intermediate civil authority on the spot?—If there was a deputy governor or some other competent person who could act independently, it would be better than waiting the return of posts, at a distance of 600 or 700 miles. It is a fortnight at earliest before any answer can be returned to a communication, and supposing a letter to be sent on Wednesday, to be attended to it must be answered on the Thursday; it leaves Cape Town on the same day, and arrives on the following Wednesday or Thursday; and therefore there are only a few hours to transmit any answer.

785. Then you think it is of great importance that such an intermediate authority should be established?—Decidedly; it would be greatly to the advantage of that part of the colony, which was a very flourishing one.

786. Are you aware of any injury having occurred to the public service, from the delay arising from the distance to Cape Town?—I do not know that I can point out any particular injury having occurred by delay; but I think the governor being at so great a distance cannot be so well aware of the state of circumstances, as to enable him to act in the prompt manner he would have done were he on the spot, and I think that the late attack of the Caffres is very much owing to that want of knowledge on the part of the governor at the time, of the state of the country and the feelings of the parties.

787. You have stated that the Cape mountain corps is principally employed in patrolling, do you consider the force on the spot when you left adequate for its protection?—No, decidedly not, particularly with regard to the Cape corps; I think one regiment of infantry is quite sufficient for all the purposes required from that kind of force, but the Cape corps was decidedly not so; they would require to be greatly augmented.

788. Since you have been in England, you of course have heard of the late irruption of the Caffres?—Yes.

789. What do you ascribe that event to?—It was a thing certainly expected; I expected that something of the kind would occur previous to my leaving the frontier, so much so, that I mentioned that fact immediately after I came to this

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country; it has entirely arisen from driving out from the Mankasana Macomo and Charlie, not but what there may have been sufficient grounds, and no doubt there were, for this step, and that the acting governor was in possession of circumstances which made that act justifiable. They were allowed to return after Lieut.-Colonel Somerset came back to the frontier from England; and in consequence I believe of some jealousies on the part of the military and civil authorities at that time, it led to their being again expelled, and this of course aggravated the bad feeling which had arisen amongst them. I believe it is a known fact that Macomo and Botman themselves complained that there were other chiefs more deeply implicated than themselves in the depredations on the colonists, and they denied that they had committed any theft, and said that they had been singled out for punishment while others were allowed to remain who were quite if not more culpable than themselves. I believe that was known to be the feelings of these two chiefs who have been driven out.

790. You said just now, indirectly, that the removal of Macomo was perfectly justifiable?—Yes; I am quite satisfied that the governor must have been in possession of circumstances which fully justified his taking on himself to drive these people out of the country, which they had been for a considerable time permitted to occupy by sufferance, but those circumstances are not known to me.

791. Then that is mere conjecture on your part?—Yes.

792. During the time you were quartered on the frontier, what was the conduct of the colonists towards the Caffres?—Very good; I never heard of any of the colonists committing depredations or any violence upon any one of the Caffres: I never heard of an instance. The Caffres, when I came away, were committing all sorts of excesses; they were robbing very far in the interior, very near to Graham's Town, also between the Boshman and Sunday's rivers, and a party of Caffres had established themselves upon a small tract of country in that neighbourhood.

793. Exclusive of motives of humanity, it was the interest of the colonists to conciliate the Caffres with reference to their own security and for the purposes of trade?—I am quite satisfied that it was the wish of every person on the frontier to conciliate the Caffres. They have been carrying on a very considerable trade with them, and it was their interest to do so.

794. When you say you never knew of any aggression on the part of the colonists, do you mean to say you never knew of this circumstance being committed—that when the Caffres have committed irregularities, retribution was somewhat severely exacted from them?—When the colonists had traced stolen cattle into certain kraals, it sometimes turned out that the cattle which were seized in those kraals did not belong to the chief of that kraal, and whenever that was found to be the case they were always returned, and I can only say there was a very humane feeling towards the Caffres whenever any of them were taken. I know an instance when I went to the Kat River post, there was a Caffre had been given over by one of the chiefs as a thief, as the individual who had stolen cattle from the colony, and he was soon liberated by the orders of the governor, he was not punished, and I know it formed a matter of great surprise to Charlie that this man who had been given up had not been punished. He said, "what is the use—you complain of the Caffres taking away your cattle; when the thief is given up to you, instead of punishing him, you send him back in much better condition than when he was given up."

795. But when these cattle have been traced to the kraals of the Caffres, has an exact or more than an exact equivalent been taken in return for the cattle found?—I have never known an instance upon which the Caffres had complained that their cattle had been taken from them wrongfully, but they have been, on inquiry, returned to them. I have heard before I went there it was the custom to take two or three for one, but that was not practised when I was there, at least I have not heard of it.

796. Have you never heard of complaints from the Caffres themselves of violence or excesses by the colonists or military in obtaining restitution?—It has been a subject of complaint that they took cattle away without ascertaining whose they were. In short we went to the first kraal and took cattle out of them.

797. In point of fact has that not been the case?—It had been the case before I went there, but certainly that was not the practice when I was there.

798. When were you on the frontier?—In 1833.

799. Are the Committee to understand that there is any alteration in the practice of the military authorities?—Yes.

800. Is

800. Is not that alteration in favour of the Caffres?—Certainly; whatever alteration took place was in favour of the Caffre; I should say decidedly, if there was any fault in the policy, it was that the colonists were not sufficiently protected. They were continually complaining of this before I came away.

801. You say it is certainly to the advantage of the colonists to be in a state of peace, and preserving likewise a good intercourse between the Caffre tribes and themselves?—Decidedly so.

802. Is it not equally to the interest of the Caffres also to maintain a state of peace and commercial intercourse?—It is to his own interest to do so, but the Caffre is a natural born and bred thief, and takes whatever temptation puts in his way; it is a difficult thing for him to resist doing so.

803. Is that the general opinion entertained by the military of the Caffre tribes?—Yes, not only of the military, but every resident on the frontiers.

804. Do you mean that is the opinion entertained by the missionaries?—Yes, I should say it was. I have had a great deal of conversation with the missionaries; I have been at almost every missionary station on the frontiers.

805. Will you state the names of those missionaries with whom you have conversed?—I do not know the names of all, but I have had frequent conversations with Mr. Chalmers, and I believe it is Mr. Chalmers's opinion that the Caffre is a natural born thief.

806. Do you know a Mr. Shaw?—I do not.

807. Have you ever heard of him?—I have.

808. Have you ever heard of his account of the tribe among whom he resided?—I never read his account; I have heard it is a very good account; I have read his letter to Lord Aberdeen.

809. Do you think Mr. Shaw's opinions confirm your own?—Yes, completely so; I go with him in every thing he says in that letter.

810. Mr. Shaw describes the Caffre tribes as irreclaimable thieves?—I do not know whether he says they are irreclaimable, but I think he goes to the extent of saying that they are great thieves.

811. Do you think that British settlers on the frontier towns commit, not to say thefts, but aggressions on the neighbouring tribes?—None on that part of the frontier; I have heard of Dutch Boors that made incursions into the northern district, with a view to take the native's cattle, but that has not been the case of late.

812. Then is the Committee to understand that there has been any provocation given to the Caffre tribes?—I do not say there never has been, but I never heard of any case while I was there; I cannot charge my recollection with any, but there may have been in past times.

813. Only in past times; will you state what you have heard?—I have heard that there have been such acts committed on the part of the border settlers.

814. What acts of the border settlers have you heard of?—I have heard that they have gone into the Caffre territories, and there possessed themselves of Caffre cattle, under the pretence that Caffres have taken cattle of theirs; I have heard of these things but I cannot give instances; I am quite satisfied that nothing of the kind was done when I was on the frontier.

815. Then when you speak of additional protection being necessary as against the Caffres, do you not also think there should be some protection given to the Caffres as well against the colonists?—I think it would be very advisable if there was an officer, or other competent person was sent to reside among the Caffres, so as to hear all complaints on both sides; I think that would tend very much to the tranquillity of the country.

816. You mean a high military authority?—Any competent person appointed by Government to reside among the Caffres who would strictly attend to any grievances they might have against the Europeans.

817. Would you recommend that person to be a high military authority, or do you think some such authority could be found on the spot among the more respectable settlers?—I should strenuously recommend a military man, indeed he could insure more respect from the Caffres as well as from the settlers themselves.

818. That respect being founded on the supposed power that he might possess rather than any policy he might pursue?—I do not think that the military there exercise any extraordinary powers, but it is necessary to impress the Caffres with due respect for them; the Caffre chiefs are well acquainted with the military, and always meet with more immediate justice when their complaints have been made direct to the military; they always go to some military post, and there lay their

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complaint before the officer who has the command, for instance, Major Cox, the first time I went to his post I found one of the chiefs had been there to make his complaint of some matter or other, and he was treated with the greatest kindness and attention by Major Cox, and I knew the business he came upon was instantly attended to. I know circumstances of this kind have frequently been the case.

819. Do you find that the colonists act readily with the military upon all occasions?—Yes.

820. There is no jealousy?—None whatever.

821. They readily act under the authority of the military always?—They always have done so to my knowledge; I never heard the contrary.

822. To what extent does your experience of the Cape of Good Hope apply?—Not much; I was only on the frontiers 14 months, during the expulsion of Macomo; I knew that the Boors had joined in pursuit of their cattle, and they are always ready to place themselves under the authority of the military.

823. Of that 14 months how much did you pass in Caffre land?—I was several times in Caffre land, my duty took me through the country.

824. How long each time?—I was 10 days going my rounds on the frontier, from Graham's Town to Kat-river, through Wiltshire, Beaufort and Guatana, into Graham's Town. This duty I performed once every two months.

825. Do you think the residence of the missionaries among the Caffres contributes to the maintenance of a good understanding between the Caffres and the Colonists?—It depends very much upon the judgment and discretion of the missionaries; I think some of the missionaries attend more to political subjects than to spiritual ones.

826. In what way do they attend more to political subjects?—They are too prone to enter into them, they endeavour to make the Caffres believe they have been ill-used and injured.

827. Is not that to be accounted for in a great degree by the missionaries having frequently been employed as channels of communications with the Caffres?—I believe they have frequently been employed as the channel of communication.

828. Are you aware from your own knowledge or observation that any missionary ever excited dissatisfaction among the Caffres against the British nation?—I do not know it from my own personal observation, but I believe it is well understood that some of the missionaries have been deeply concerned in these matters, and I know some of them were dissatisfied with the colonial government.

829. Do you only know that from common report?—No, only from common report.

830. You feel yourself quite incompetent to give any well authenticated instances of it?—I can give no authenticated instances of it, but it was a well entertained opinion by many that the missionaries had interfered very injudiciously in these matters.

831. The Committee wish to ask whether that might not arise from real grievances on the part of the Caffres, and that the missionaries might say they ought to seek for redress?—I am quite satisfied that if any missionary ever required any grievance of the Caffres to be redressed it would have been attended to, but he did not always pursue that course, but chose to encourage these men with a discontented feeling, and I am quite sure they have done so in many instances, and which I have also heard from other people whom I was in communication with.

832. You must perceive that the missionaries would be placed in a situation of embarrassment if any flagrant wrong was done to a Caffre, and the Caffre went to him and alleged his principles of christianity as the ground of his appeal; now might it not have happened that when the Caffre made that appeal, that he the missionary might have perhaps rather referred to these principles which he went to inculcate, and might have sided with the Caffre, considering the Caffre was wronged?—It was very natural for the missionary to side with the Caffre if he thought he was ill-used, but I think before he made that person dissatisfied with his situation he should have had recourse to the Government, or to those who had the power of redressing that man's wrong, and I am quite sure that very few instances, if any, can be adduced where the missionary's claim of redress for the Caffre has not been attended to.

833. The question is not about dissatisfying the Caffre, the question arises out of this, whether the supposed discontent on the part of the Caffre proceeds from circumstances for which the missionary may be accountable?—Certainly.

834. May we ask if the commando system has not been carried to an extent much beyond what may be called a fair principle of justice, and if there have not been seizures made of cattle in two oppressive ways, one oppressive, because they were made from a person who had not committed the wrong, and the other because they were carried to an extent beyond the wrong sustained?—I stated in answer to a former question, that I heard that the Caffres have lost their cattle, that the cattle have been traced to the kraal of the chief of the country, and the commando has not thought it necessary to go beyond that, but has seized his cattle, and there was an old order, I believe, authorizing them to do so, even in the proportion of two or three to one; there was an order to that effect, but latterly it has been rescinded, and now they are only to take the lost cattle.

835. And latterly has that order been strictly adhered to?—I believe so, I should say so decidedly; I heard of no instance while I was on the frontier to the contrary of any chief having had his cattle seized on the plea that stolen cattle had been traced into his kraal, and found in his possession.

836. Then are we to understand you, that in all cases where there has been an aggression on the part of the Caffres, that that has been an unprovoked aggression?—No; I believe there are instances in which a Boor when he has lost his cattle, and seized upon the Caffre's cattle as his own, and it has been afterwards proved to be otherwise. I believe there have been a few instances of that, but that you must expect occasionally. There are instances, I believe too, of Boors following their cattle, pretending they have lost cattle, and traced into Caffre land, and brought away the cattle as his own, and it has afterwards proved the other way. I believe when the fraud has been discovered the Caffre has had them returned.

837. Do the Caffres manifest any desire to obtain British manufactures?—Yes; there are a vast quantity of iron pots, knives and hatchets, and spades used by them latterly, and a particular rug or blanket.

838. They cultivate rather extensively, do they not?—Yes, very extensively in some districts, on the Chumi and vallies of the Kaiskamma.

839. Do you know any thing of the intercourse between the Caffres and the tribes in the interior?—I do not know to what extent except that they are frequently at war, and they have been driven westward by the internal war between the different tribes.

840. Do they grow more agricultural produce than they consume?—I do not know, I should think not; I think the Caffres are perfectly satisfied if he can grow as much as will support his family for the year.

841. Can you speak at all as to the security of property among themselves?—No; but they seem to be possessed of very extensive herds of cattle, very fine indeed.

842. If they commit depredations on the British colonists, can you speak as to whether they commit depredations on one another?—I have no doubt of it, for they are constantly at war with each other on the subject.

843. Do you know the fact that they do?—No, I do not know the fact, but from the accounts we hear of the Caffres, their disputes generally arise from some tribe committing depredations on another.

844. Do you know whether property is secure among themselves?—I know there is a tribe, Dingaan at Natal; there is a very powerful tribe, of which he is the head, and I have seen traders from Natal who state he is making war constantly upon his neighbours and committing all sorts of aggressions.

845. But as between Caffre and Caffre, can you speak of the security of property?—I do not know what their laws may be, but I believe the chief is very tenacious of his own territory as well as of his herds.

846. But can you state whether or not they thieve from one another?—I believe they do, I have no doubt of it; and that that is the cause of wars among them.

847. Do you know at all how thefts are punished among them?—I know they have very little regard for human life.

848. Do you know that of your own knowledge?—No, I cannot speak of that.

849. What are the principle articles of British manufacture which they desire to possess?—A small sort of spade which the women use, iron pots and beads, (which are not of English manufacture, I believe they are brought from Italy, but they come through the British merchant), and also blankets and rugs.

850. As to woollens, is there any thing beyond blankets and rugs?—No.

851. Do you know at all the state of their huts as to furniture?—They have very little furniture, nothing but mats which they lay upon.

 852. Have

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852. Have you ever observed any desire to improve their dwellings?—I have been at the Chumie institutions, and there were a few huts built there, European huts, there were three or four which Mr. Chalmers had induced them to build, but the rest of the huts, amounting to about 200, were just the same as any other part of Caffre land; but they are using spades very generally, and some of the Caffres were wearing blankets instead of bullock hides.

853. What do they give in exchange for those articles which they receive from us, spades, blankets and so on?—They give hides, horn, and sometimes ivory, but there is very little ivory on the frontiers now.

854. You have said they are frequently at war, and that their wars arise from their propensity to steal, may it not also have arisen from aggressions on their territory?—No doubt it may be so; before I came away there was a tribe driven into the colony, I do not know what people they were driven in by, but by one of the distant tribes, and they were pressed in the same way as the Hottentots were driven out of their territory. There is no doubt that the Hottentots possessed the country which has been lately conquered, in proof of this, we can trace the names of rivers and mountains in many places to have been originally Hottentot names, for instance, the name of the Kei and Kaiskamma rivers, are Hottentot names.

855. Is it not very likely that these wars may arise from ambition to possess extended territories on the part of the chiefs, and by that means to increase their means of pasturage and so on?—Yes, I have no doubt that has been the means of war, for they have been encroaching upon each other for ages, and by that means the border Caffres have been approaching the colony. In fact, there are but two distinct tribes that we know of, the Caffres and the Hottentots; the Caffres are divided by local names with chiefs among themselves, but the Hottentots and the Caffres are the only aborigines of Southern Africa.

856. A former witness has stated that the expulsion of Macomo from the country which he occupied on the Kat River, was determined upon less with a view of punishing the depredations which had been committed by Macomo's followers, than for the purpose of providing a suitable location for the Hottentots. Do you concur in that opinion?—I do not know what led to Macomo's expulsion, but it certainly has been of great advantage to the Hottentots, their being located on the Kat River. It has become a very valuable district now, for they are very industrious and cultivate a great extent of territory.

857. The object is to ascertain whether you consider that the expulsion of Macomo was a matter of retribution, or of convenience, with reference to the location of the Hottentots?—I should think not, I should think it was not done with the view of placing the Hottentots there. I have no doubt that Macomo must have given provocation, or his people must have committed excesses or depredations on the colonists, which led to his being expelled, and that they very properly put the Hottentots there as they had proved themselves of great utility in this last irruption of the Caffres, that they were able to maintain their position, and that they are in many respects a very efficient set of people to have on the frontier.

858. You think then that it was to punish the depredations of the Caffres?—I should think it was to check them, not to punish them.

859. And the location of the Hottentots was a minor and consequential consideration?—I should think so, I do not conceive it was ever done with any other view. I think it was merely done as a further protection to the Colonists on the frontier.

860. What general plan do you recommend to secure the peaceful conduct of the tribes on the frontier, and promoting their friendly treatment of the colonists?—I should recommend that similar institutions to that on the Kat River should be established on the line of the new frontier, under the superintendence of proper officers and proper people, this might be done with great effect; that on the Kat River is a very valuable establishment, and has done infinite service to the Hottentots. Those who are located there are a most industrious set of people; at one time I believe we were much indebted to the Kat River people for our supplies at Graham's Town during the time there was a great scarcity of forage and grain; I know one or two of the Hottentots entered into contracts to supply the forage to Graham's Town and outposts.

861. When you mentioned the recently acquired territory, you alluded to that which we recently received advices of its being captured?—Yes; I have no doubt that the Hottentots were the aborigines of that country, there are a great many of them

them throughout the colony who are totally destitute, and have no occupation but congregating round the missionary institutions without any thing to do, and it would be an act of the greatest humanity and a benefit to the colony if they were so located. Captain *Spiller*. 17 August 1835.

862. Then do you consider, that the placing of these Hottentots in the possession to which you advert, would establish a barrier between the Caffres and our ancient boundary?—A very formidable one; they know the use of fire arms perfectly well, and they make excellent soldiers.

863. You think they would be competent to the defence of that frontier without constantly applying for the assistance of troops from us?—Not at the commencement certainly; I should establish military posts between them and the Caffres, until they have been sufficiently well organized, and were in sufficient number to protect themselves, and I am quite satisfied that in the course of a few years that would be the case.

864. And the force on the ancient frontier might be proportionably diminished?—In the course of time no doubt of it. It would be a most valuable acquisition.

865. What number of Hottentots could be immediately placed in that position?—I am not able to answer that question exactly, but I should suppose 4,000 or 5,000, or even 6,000 might be collected throughout the colony.

866. Do you allude to 4,000 or 5,000 males?—Yes, I should think so, there are a vast number of them who have nothing on earth to do, and who congregate round the missionary institutions, and these missionaries might move with them.

867. And you think such a location would certainly succeed?—I have no doubt of it, you have had the example at the Kat River, for they have maintained their position throughout the last incursion of the Caffres.

868. What number of troops had we upon those stations?—We had a regiment of infantry, the 75th, the Cape mountain rifles of about 200 men, making in all about 700 men, and a small detachment of artillery.

869. Then suppose you were to put arms into the hands of 5,000 Hottentots, you having but 700 or 800 men, I would ask if you do not think that there is some danger that these arms might be turned against us?—No, they are a very loyal people.

870. You do not think that any state of circumstances would render that event probable?—Now there is not the least danger.

871. I rather think there is an instance where nearly 700 Hottentots were armed in that way with muskets provided by Government?—I do not know of that particular instance, but I have no doubt it was the case in the last irruption of the Caffres. All these people are armed at the Kat River, and about 500 Hottentots were recently collected together to resist the Caffres.

872. You speak of some who collected about the missionary's institutions, how do these people support themselves?—It is difficult to say, but the farmers and Boors were getting very uneasy about them, for they were committing some excesses in the country when I travelled through the interior, they complained of being robbed by the Hottentot marauding parties.

873. Why do they collect about the missionary institutions, do they receive from them any support?—I believe they do, as far as they are able they give it to them, but at the time I am speaking of, the vagrant law was in agitation, and they were under an apprehension that this law might apply to themselves, so as to place them in the same state with regard to the Boors in which they had formerly been, and I believe their object in going to the missionaries was to ascertain from them, (in whom they had great confidence) the state of the law, I think that was the reason why they were in such numbers about the missionary institutions. I do not think I found a dozen employed by the farmers and Boors, between Graham's Town and Cape Town, and when I asked the reason, they told me they were all at the missionary institutions.

*Thomas Philipps*, Esq., called in; and Examined.

874. YOU have heard that a petition has been presented to the House of Commons, signed by certain colonists of the Cape of Good Hope, who are now in England?—I have. *T. Philipps*, Esq.

875. Have you at all acquainted yourself with the contents of that petition?—Perfectly.

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876. It is there stated that in the year 1819, there was a grant of 50,000*l.* for the purpose of sending out settlers to colonize a division of the colony of the Cape of Good Hope, do you know any thing of that circumstance?—Yes, I accepted the proposal made by government upon that occasion, and was one of those who went out.

877. These colonists, I believe, were settled by the officers of the government upon the eastern frontier of the colony of the Cape of Good Hope?—They were on the west side of the Great Fish River, the ancient boundary of the colony.

878. Can you inform the Committee the state at all of the Caffre tribes, at the time that settlement took place, and in what relation they stood to the new settlers?—They had the year before been driven out of the part of the country we were in, which they had some years before taken forcible possession of, and for 18 months we had no intercourse with them whatever, all intercourse was forbidden. We were forbidden to cross the Fish River and they were forbidden likewise to cross it.

879. In fact, the Caffres considered you rather as invaders and aggressors than as persons coming with peaceful habits and seeking to establish a peaceful intercourse?—No, I think they were perfectly aware that the country did not belong to them, and they did not consider we were interlopers, for the military had driven them out. In fact, the Dutch had inhabited the very same country until the Caffres drove them out some 20 or 25 years before.

880. Did they make any attempt to recover the territory in which you were settled?—None, whatever.

881. How soon did they begin to manifest any hostile intention towards your colony?—We were, I think, for 18 months in perfect security, but on a change in the military system, and the evacuation of the town of Fredericksburgh, which had been formed by Sir Rufane Donkin; from that settlement being no longer supported by the government which succeeded Sir Rufane Donkin's, the Caffres attributing that evacuation, I should think, to weakness on our part very soon afterwards, made aggressions upon the colony, by stealing cattle and committing many murders, and burning Fredericksburgh to the ground.

882. Was Fredericksburgh left deserted by the government?—Entirely.

883. Was all the military force withdrawn?—The military detachment was entirely withdrawn, and the half-pay officers and men who were settled there abandoned their houses.

884. What were the main inducements to establish a military position upon the frontier by Sir Rufane Donkin?—I think it was a most excellent measure of establishing a military chain of posts in the neutral territory. I have heard the evidence given before, and I would further add, that Gaika most strongly approved of it, using the expression, "that the neutral country left uninhabited, was only a place for white as well as black Skellims." It was in fact a place where a contraband trade was carried on.

885. Then the object in establishing that chain of military posts was entirely protective, protective both as regards the aggressions of the Caffres, and also as regards the aggressions of the colonists against the Caffres?—Yes, it certainly was so intended by the government.

886. It was a protective system, intended to be accomplished with a view to promote an amicable intercourse, and put down aggressions on either side?—Yes, to prevent the Caffres from approaching the bushes and fastnesses on the banks of the Fish River, for after the destruction of Fredericksburgh, they sheltered themselves in those places, and made aggressions upon the colonists.

887. Who succeeded Sir Rufane Donkin?—Lord Charles Somerset returned; Sir Rufane Donkin was only acting governor during the absence of Lord Charles.

888. Will you state what is the general opinion in the colony, as to the ground of Lord Charles Somerset's change of policy?—It was a very unfortunate circumstance for us emigrants that a quarrel had taken place between Sir Rufane Donkin and Lord Charles Somerset, and in consequence of that, there is no doubt that Lord Charles Somerset immediately determined to reverse every single act that Sir Rufane Donkin had done. We made a representation of that to Earl Bathurst in the year 1823. That petition was laid on the table of the House of Commons, and it is now before the Committee. If they will allow me I will read that part of the petition which refers to this subject:—"That the most pressing and insupportable of their grievances arise from the constant depredations of the Caffres, who

who have within a few months committed several murders and deprived the settlement of the greater part of its cattle; that their depredations are in a great measure produced by relinquishing that line of policy which held out to those tribes a hope of procuring, by friendly barter, such commodities as their acquired wants have rendered necessary, and which they are now obliged to procure by theft or force; by discountenancing and withdrawing the military force from the new settlement of Fredericksburgh, and permitting the Caffres to plunder, and force the settlers to retire, and ultimately to burn it to the ground, by withdrawing from the Fish River a line of posts which had previously effectually protected the settlers; by refusing aid to the more advanced farmers, plundering parties have been encouraged to drive those in, and afterwards to extend their incursions to all parts of the settlement and even beyond it; by exasperating that tribe which had hitherto preserved the appearances of friendship, in attempting to seize their chief (Gaika) in his own village, and by withholding from the local military authorities that discretionary power with which they were formerly vested, which by enabling them to enforce summary restitution shewed the Caffres that the offence must instantly be followed by the punishment, whereas by waiting the decision of the commander-in-chief, six hundred miles distant, in every emergency offences are allowed to accumulate to an alarming amount; and the slender means of defence the settlement possesses, deprived of the power of acting with promptitude, is forced to present to the Caffres at once the appearance of enmity and weakness. That it thus appears to the colonists instead of the new settlement ever deriving any advantage from the civilization of these savages, that the existing measures can only lead to a war of mutual extermination."

889. In consequence of that representation was not a Commission of Inquiry sent out to the Cape of Good Hope?—Yes, Earl Bathurst delivered it to the Commissioners of Inquiry, and when they came to the frontier several who had signed it were examined on its contents.

890. You were yourself examined on the spot by the Commissioners sent out?—Yes.

891. What were the principal complaints made by the settlers to the Commissioners of those aggressions?—They complained principally of the aggressions of the Caffres, which they contended arose from the vacillating military system pursued by the Government. During Sir Rufane Donkin's time there was a very decided system kept up, but upon Lord Charles Somerset's return, from motives which I do not wish to enter into now, there was an entire change of system and we were subjected, as stated in our memorial, to very serious aggressions, and frequently murders throughout the settlement, which I attribute entirely to that change in the military system.

892. Was there any improvement or any return to Sir Rufane Donkin's system subsequently to Lord Charles Somerset's resignation?—When Colonel Somerset became commandant of the frontier there was a very large commando sent into Caffre land, and there was an end put to the aggressions of the Caffres for a considerable time afterwards.

893. Was the military station at Fredericksburgh re-established?—Never.

894. Why was not that done, if it was found so beneficial under Sir Rufane Donkin's government?—The last Governor Sir Lowry Cole saw the propriety of it, and established a post at the Guatana, which is near the site of Fredericksburgh.

895. Is Fredericksburgh now occupied as a military station?—No, there is no station, except that of the Guatana, which is close to where Fredericksburgh was built.

896. And that has been found beneficial to the colonists?—Yes, it has been stated that more cattle have been re-captured there than at any other post.

897. Within your knowledge has undue violence been practised by the military towards the Caffres, so as to provoke them to aggressions?—No, certainly not, the whole mischief has arisen from the vacillating system pursued by the Government, and not improper conduct on the part of the executive military. Sometimes it is too lenient, and sometimes it is too severe, sometimes ordering the troops to fire at the Caffres in all directions, and lately I have heard that orders are given not to fire at them at all, even in self-defence.

898. That would imply blame at head quarters, rather than upon those officers commanding in the district?—It is impossible the officers at head quarters can judge of what is necessary; I attribute it principally to the constant change in the

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Secretaries of State, for every Secretary of State has a plan of his own in the instructions which he sends out to the governor to act upon. Within the last 18 months we have had no less than four Secretaries of State, and so long as we remain in the situation of a Crown colony, with no representative assembly of our own, and we must be governed from this country, it is impossible any system can be well administered. I would likewise mention that during some periods our governors had almost unlimited power, but since then the Home Government have fallen into the contrary extreme, and very much curtailed the authority of subsequent governors.

899. The Commissioners of Inquiry, I believe, made certain recommendations, did they not?—They did.

900. Can you state the principal recommendations?—Their own language is, "The early impressions that we received of the embarrassment to which all measures, both of executive and judicial authority, were liable from the great extent of territory that the colony includes, having been confirmed by longer experience and observation, we felt much satisfaction in learning that the measure which we had the honour to suggest, of separating the government of the Eastern and Western portions of it, had received His Majesty's approbation. It was manifest indeed, that a measure of this kind had become necessary from the increased pressure of business and correspondence with the remoter districts on the frontier, occasioned by the settlement of the English emigrants; the importance of applying some uniform and consistent principles to the intercourse of the colonists, with the Caffres and other tribes, of preventing their collision, and checking the desultory warfare that has prevailed along a considerable portion of the frontier."

901. Will you state shortly their principal recommendations?—They recommended the appointment of a lieutenant-governor, together with a council, and a variety of other appointments which have never yet been fulfilled. It is true, as I mentioned in my former evidence, that General Burke had been sent out, and subsequently recalled, and subsequently to that again as commissioner-general had been appointed, but he has lately been recalled, and we are now in the same state as formerly.

902. Has there been any official communication between the government and the colonists in reference to the report of the Commissioners?—No, we waited patiently expecting that what the Commissioners of Inquiry had recommended would be put in practice. For eleven years we have been waiting in that state of expectation.

903. In fact the Commision has been altogether fruitless as regards your part of the colony?—Yes, with one exception, they recommended a trading intercourse with the Caffres, which has been productive of the greatest possible benefit.

904. But have they at the same time given increased protection to the colonists in order to promote that intercourse?—No, the military force has been reduced.

905. Who was the governor when that reduction took place?—It was by orders from home. I believe it was during General Burke's government.

906. Have the colonists remonstrated against that reduction?—No, they have not.

907. Have you been exposed to great danger on the frontier in consequence?—Certainly; we have never been so well protected as we were when the force was full.

908. Is the Committee to understand that in your opinion the colonists are altogether free from blame in giving provocation to the Caffres?—I can most sincerely and decidedly say that I know of no instance whatever of aggression on the part of the colonists towards the Caffres.

909. With reference to the recent irruption, do you think it was wholly occasioned by the alteration of our military system, and not at all founded upon any provocation on the part of the colonists?—I have already mentioned that I thought the expulsion of Macomo and his brother from the territory was the main cause of their making this invasion, and subsequently the order not to fire upon them which got to their knowledge, and made them very determined, mistaking our leniency for weakness.

910. You think then that the irruption of the Caffres was wholly and entirely owing to the change of policy on the part of the Government?—Yes, the unsettled, vacillating system which led the Caffres to place no confidence in any thing we said or did.

911. When you state that the Caffres could place no confidence in any thing we

we said or did, do you mean there have been instances of breach of faith between the Government and the Caffre tribes?—Yes, we have suffered them to come in and graze their cattle and remain in the neutral territory, and we have upon two occasions turned them out, as they allege unjustly, and contrary to agreement. In one instance where we kept faith with them, in the instance of Pato's tribe, they have remained faithful to the agreement upon which they came to live upon the neutral territory.

912. How do you make out that the permission to the Caffres to graze their cattle in the neutral territory was a breach of faith towards those Caffres?—It was the turning them out which they considered a breach of faith; they were allowed to be there upon their good behaviour, not stealing cattle from the colonists; and under the impression that they had stolen cattle, the tribe of Macomo were expelled. They denied in the most positive manner that they ever did any thing of the kind, defying us to the proof; and it was generally believed, as I before mentioned, that the way in which they were expelled induced them to act as they have subsequently done.

913. You say the Caffres were expelled because it was alleged against them that they had stolen cattle; who made the complaint of the loss of cattle to the military authorities?—That I have never heard; it is not in the part of the country parallel to where we reside.

914. Upon occasions of complaint of a similar nature, and previously to the marching of the troops to re-obtain possession of the cattle or to punish the Caffres, what steps are taken by the military authorities to ascertain the truth of the facts or the representations made to them?—They rely upon the assertions of those who have lost cattle.

915. Might not those aggressions be the means of obtaining cattle wholly at the expense of the Caffres?—I have heard of such complaints, but I do not know of any instance; I cannot speak from any personal knowledge whatever; I have heard that complaints have been made by the Boors of their having lost cattle, and which they declared must have been stolen by the Caffres; the military have gone in and taken cattle in lieu, and their own have been subsequently found; but in all instances of that kind I believe the Caffres have had their cattle restored to them.

916. When the Caffres were permitted to graze their cattle, as you state, during good behaviour, was that understanding mutually and clearly understood between the Caffres and the Government?—I should think so most decidedly.

917. What reason have you for thinking so?—I have no knowledge myself; all those affairs are conducted between the civil commissioner, the commandant and the Caffres, and, therefore, I can only know from general report that they held their tenure by sufferance and good behaviour, and they contend they have not transgressed the agreement.

918. Who is the civil commissioner there now?—Captain Campbell.

919. Is he a military man?—He is a captain of marines on half pay.

920. He has no military command there?—No, he acts entirely as a civil commissioner.

921. Did not the Commissioners recommend there should be something like municipal organization at some of the principal towns of the colony?—Yes, they certainly did.

922. Would not that tend to give permanence, solidity and prosperity to the towns?—Very much so, and it has been approved of and even recommended to us to apply for such regulations by Colonel Bate, the present colonial secretary at the Cape.

923. Have any recent representations been made to the Government with a view to bring about a compliance with the recommendations of the Commissioners?—Yes, we have petitioned on the subject, and I was promised by Mr. Stanley, when in office, that on my return to the colony that all those things should be taken into consideration. The Commissioners recommended a branch of the Government bank likewise to be established there, and likewise a transfer office for the deposit and registering of deeds, but nothing whatever that they recommended has been put into force.

924. In your opinion, the colony has suffered materially from those representations or recommendations not being attended to?—It certainly has been put to great inconvenience and expense in consequence of those recommendations not being attended to.

925. Are there any fiscal regulations at the principal port of export within the district of Albany?—Yes, we have some regulations as to imports.

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926. Do you pay any duty on the export of articles from the colony?—No, I think not. There is an import duty of three per cent. upon articles imported from England, and 10 per cent. on foreign goods, but I do not think there is an export duty.

927. What would be the effect in your opinion of a small export duty, applicable to the purposes of improvement in the colony?—I am satisfied an increase of the import duty would be very beneficial in lieu of a number of small taxes, which might be done away with.

928. How is that duty which you have spoken of, upon articles of import, applied?—It goes into the general treasury at Cape Town.

929. It is not locally applicable?—No, we have nothing local whatever; all our taxes go into the treasury at Cape Town; subsequently, on the application of the chief commissioner, part is appropriated to the repair of the streets, watercourses and highways, or the bridges, but it is very sparingly and reluctantly given to us I am sorry to say.

930. Is the military expenditure the principal branch?—The military expenditure is made by the home government entirely.

931. Then is the Committee to understand that this import duty is wholly applicable under the direction of the government, and for the general purposes of the colony, and not for the district of Albany?—It all goes to the treasury of Cape Town.

932. Can you at all state the proportions within the last two years, as applied in the way of improvement, such as those you have spoken of in the district of Albany?—The improvements have been very rare indeed, for instance, Algoa Bay is exactly in the same state of nature as it was when we arrived; our articles of import, which amount to about 100,000 *l.* a year, are landed in surf boats, and carried on shore on the backs of people from thence, and thrown on the sandy beach, there is no wharf to receive them.

933. Can you state the amount derived annually for the last seven years upon that import duty?—We have only had permission to import direct to Algoa Bay since 1829; I cannot state the amount of the duty, for the collector receives it and transmits it to Cape Town.

934. I believe a lighthouse is very much wanted there for the purposes of the shipping?—Yes, that has been one of our requests for many years; I believe now it is an object with the East India traders, and they are about to join us in a petition.

935. Who have you petitioned?—We have petitioned the Colonial Office for the last seven years on the subject.

936. Have you ever taken any other means of bringing it under the notice of the shipping public?—I brought home a copy of the petition which was presented seven years ago; I gave it to Mr. Hay, and he promised it should be taken into consideration immediately.

937. Mr. Hay is under secretary for the Colonies?—Yes, and our colony is in his department.

938. What answer was returned to you by Mr. Hay on the part of the Colonial Office?—He said it should be taken into immediate consideration.

939. Was that stated in writing?—No, verbally.

940. Had you no written answer?—No, I called with the petition, and he said he thought an answer had been sent; I said if it had been sent it never came direct to the petitioners.

941. Do you find the Colonial Office prompt in their reply or their notice of your various petitions and representations?—We have never had any direct replies from them to the communications we have made; the first reply we ever had came through the Commissioners of Inquiry.

942. Do you mean to say when you make representations to the Colonial Office, or present petitions with reference to public works, or the wants of the colonists, you have no direct or immediate answer?—We generally send through the governor, and I cannot say that we have had regular replies to them, which I attribute to the constant change which takes place in the colonial department.

943. But there has not been a constant change in the under secretary?—No, Mr. Hay has had for a considerable time the management of our colony, and 18 or 20 colonies besides.

944. Then he is immediately responsible, is he not, for the administration of the affairs of the colony?—Yes, and in the interviews I have had at the Colonial Office, I have always gone to Mr. Hay on every subject.

945. Have

945. Have you ever brought under the notice of Mr. Hay the recommendation of the commissioners in reference, for instance, to municipal institutions?—Yes, we petitioned through the governor on that very subject, but we never had any reply from the Colonial Office; since I have been in London I have been with Lord Glenelg, and he has requested me to lay before him a statement of every thing which our part of the colony requires, and I am to see him this week again on the same subject.

946. Have you any better prospect now of attention being paid to the wants of the colonists than you had formerly?—Lord Glenelg has certainly given me every reason to conclude that our requests would be attended to, and so did Mr. Stanley, and so did Mr. Spring Rice, but their stay in office was too short.

947. Your petition prays the House of Commons to take some measure with reference to re-occupying the deserted farms, and with a view also of restoring the amicable interests between the colonists and the Caffres. Can you state what measure would be most conducive to that end?—A regular and efficient system of defence, and putting in force what his Majesty's Commissioners of Inquiry have recommended. We want no more than what they declared was absolutely necessary after a most laborious investigation into our wants on the spot.

948. Their recommendation can have no reference to the re-occupation of the farms from which settlers have been driven by the late irruption of the Caffres, and therefore the Committee would wish to know what measures the petitioners pray for with regard to the re-occupation of their farms?—The putting the frontier into a better state of security than it has hitherto been, and enabling the colonists to recover their losses. I may here mention, that it was intended in the petition to Parliament now on the table, to claim compensation, but it was found that that word could not be used without the express consent of the Crown, and consequently it was erased, and the word "protection," was put in.

949. With reference to an amicable intercourse between the colonists and the Caffres, what do you think would be most conducive to the attainment of so desirable an object?—I think the establishment which the Commissioners recommended, and a proper and decisive treaty with the Caffres, and treating them as men ought to be treated; establishing a regular treaty of intercourse, and defining the boundary line in a proper manner, would be the means of reconciling them even to the loss of territory, provided they could see a decided principle on our part of keeping our pledges with them.

950. You have expressed a desire in the pamphlet you have written, that the inhabitants should have some voice in the management of their own affairs; in what way would you propose that should be done in the present state of the colony?—There has been a promise almost held out to us by the Commissioners of Inquiry, that as soon as ever the Slave Trade question should be decided, the colony would be eligible for a representative assembly.

951. Suppose the main recommendations of the Commissioners of Inquiry were adopted, and something like a representative assembly established, do you not think by its tendency to give solidity and permanence to the colony, it would also embrace and greatly facilitate and extend the intercourse with the natives?—Most certainly.

952. Might it not also tend to their civilization by their introduction into towns?—Yes, that is a very main object by which we might render our own situation much better, by attending to measures of that importance.

953. Have you had any official communication on the subject of municipal organization with the home government?—That is now before Lord Glenelg.

954. Have you in former times since the date of the commission?—We have had repeated meetings on the subject, all of which have been communicated to the local government. Colonel Bell in his last reply stated, that he should certainly recommend it immediately to the home government, subject to such alterations as he should suggest. We begged in return to know what they were, we agreed to them, and altered them according to his suggestions; since that, we have heard no more on the subject. I have heard, that it was intended by the present government to propose something of that kind, but that is since I left the colony.

955. Can you at all speak to the favourable or unfavourable reception which the plan for municipal organization, or a representative council, has received from the local or home governments?—No, we have petitioned the House of Commons once or twice on the subject, but it has dropped to the ground, and we have patiently waited for the termination of the slave question, which was about to take

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take place, and I have no doubt now will be soon brought forward again in the colony. We shall not be content without being represented in some way or other. Within the last year there has been a new charter for the Cape, by which a legislative council has been granted to it. In that council it was the wish of General D'Urban, that some individual from our part of the colony, the Eastern Province, should be selected for the purpose of being one of the council, but the very great distance and the expense of going down once or twice a year, is more than any one of us could afford; there was a gentleman appointed residing in the district of Uitenhagen, but he was obliged from the same circumstances to decline the honour which was offered to him. The present council is composed of gentlemen who know very little more of the colony than about the neighbourhood of Cape Town.

956. Do you think if some municipal privileges were conferred upon towns, that the Caffres might be induced to settle in those towns, and to adopt habits of peaceful industry at all?—With regard to the Caffres there is an ordinance as to their coming in which prevents it, but other tribes have come in and are settling very fast among us, and exceedingly serviceable they are in every respect as servants, and most faithful to their masters.

957. You think then, that a well-organized system of municipal government would tend very much to the improvement of some of the native tribes, as well as a benefit to the colonists?—Yes; it would give the colonists some share in the management of their own affairs, and every one would feel the benefit of it; at present, the whole is managed by the government agent, who has, besides, too much business to attend to.

958. In fact, it would promote a spirit of civilization among them, and ultimately lead them to a voluntary reception of the christian religion?—Yes.

959. Have you any thing further you wish to add?—No; I only trust the Committee will take into their consideration the great losses the colonists have sustained, and that they are entitled to compensation, and from the evidence which has been adduced, I humbly submit it is proved that they have not been to blame, nor have had any control over what has caused the invasion; that they have been innocent sufferers from a cause which might have been avoided, if a proper military system had been afforded them, and which they had been applying for for the last eleven years; in fact longer than that, but for the last eleven years it has been promised to us. If we had been left to manage our own affairs, and had a share in arranging an intercourse with the Caffres, nothing of that sort would have taken place.

960. Do you mean without the aid of a military force?—Certainly not.

961. You would not rely on the commercial intercourse and commercial interests reciprocally, without the aid of a military force?—No; they must be convinced of our superiority, and feel that we have the power of punishing any aggression which takes place; we must be strong in order to make them fear as well as respect us, but uniting the two together I think they would become civilized and become a very useful people to themselves and to the colony.

962. Are you aware that any statement of losses sustained by the colonists on that occasion has ever been made out?—I know that the Governor has appointed Mr. Hudson, a retired magistrate, to take an account of the losses of the inhabitants of all classes, and I understand that as soon as it is made out it is to be sent home for the consideration of this Government.

963. When was that?—I think it was in the latter end of January, or the beginning of February last.

964. Then the time has scarcely elapsed for the transmission of that report?—No; I merely take this opportunity of stating to the Committee that I trust the evidence which has been already adduced will prove the colonists to have been innocent and unmerited sufferers by the late lamentable invasion.

*Mercurii, 19° die Augusti, 1835.*

## T. F. BUXTON, ESQUIRE, IN THE CHAIR.

Captain *Stockenstrom*, called in; and further Examined.

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965. WILL you be so good as to proceed with your narrative from where you left off?—It does not strike me there is any thing of importance to be added upon this subject before Sir Rufane Donkin had left the colony. He left the government towards the close of 1821; I was then the chief magistrate of the district, bordering on a part of Caffre land, but had no direct concern with the protection of the frontier as far as the military were concerned. Sometime after Sir Rufane's departure, a field-cornet of the district nearest the frontier, reported to me that the Caffres had come back to, and were residing in the ceded territory. This report went amongst others in the usual course to the Colonial Office, and it was referred to the commandant of the frontier, and I received a letter, telling me that there was no such thing, that the Caffres were not within the ceded territory. I then considered it my duty to inquire, and found that they were, and consequently my report to the Government was to that effect; a few weeks afterwards I was ordered to proceed, and show the authorities in the engineer department the frontier as I understood it to exist. I went to Fort Beaufort, and took with me a copy of the Government Gazette, in which that part of the frontier is marked out very clearly, and the moment I read the passage to Mr. Pettingall, he immediately saw the error, and the report was made to Government accordingly; a few weeks after that again, I received a communication from the Colonial Office, telling me that as the military commandant had permitted the Caffres to come to the territory in question, they should be allowed to remain there as long as they behaved themselves quietly; that was some time in 1822. I had nothing more to say on the subject, but felt extremely sorry, considering this (though it might have proceeded from the most humane motives) a most injurious measure, and I believe, any military man will say with me that the sources of the Kat and Gonappe rivers constitute the strongest hold in the whole of the frontier line, from the Orange river down to the sea, and therefore allowing a people which was often called "the enemy," to gain a footing there, so as to break entirely in on the best line of the frontier defence we could find, if ever we should attempt to make an effective one, was very impolitic. The country from thence to the Bavian's river was entirely open, and the Caffres thus got round our left military flank, and between it and the Forkan district, between which and the military they could at any time cut off all direct communication. In this important position they were in possession of high precipices, mountains, rocks, forests, deep clefts, and could, under cover of those, proceed into the heart of what is now the Somerset district, and after committing depredations could escape with almost the impossibility of immediate pursuit. This opinion has been directly confirmed by experience, for though I have not had constant and direct intercourse with the military, I am sure it will be proved by reference to the records that we had constant quarrels with these very Caffres, immediately and constantly after they had thus located themselves; that they were repeatedly attacked by our troops; that their cattle were taken as a compensation for what it was said they had stolen from the colony, and that many lives were lost. I must now come to the period of my acting as commissioner-general, which brought me more in contact with the military portion of the frontier, and which brings me at once to the year 1828. I must here observe that I have read a phamplet which has been published by a most worthy gentleman, the Missionary Shaw, who is incapable of an intentional misrepresentation, in which it is stated that the Caffres were driven out of the country at the source of the Kat river in order to obtain land for the location of the Hottentots. In that that gentleman is completely mistaken. I went to the frontier in 1828, with a view of inquiring into some points connected with the frontier; on my reaching the frontier the civil commissioner, who was then Major Dundas, met me

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at Kaka post, and gave me, in his capacity as civil commissioner, all the information I required, amongst which he mentioned several depredations committed by Caffres in that part of the country. I met Lieutenant-Colonel Somerset, who was then the commandant of the frontier at the Gonappe post, where a great assemblage of farmers had come to complain of the constant depredations of the Caffres; but Colonel Somerset said that of late Macomo and his people had been very quiet, and that he had even received great assistance from him in preventing depredations. The Caffres were, upon the strength of this, allowed to remain. I myself had a conversation with Macomo, and received his solemn assurance that he would continue to behave as Colonel Somerset said he had lately done, and I warned him of the consequence of his doing otherwise. Not many months afterwards a correspondence took place between the Colonial Office and military secretary and the civil and military authorities on the frontier. Macomo, with his Caffres, had made an attack upon the Tambooki kraals, then living peaceably on the borders of the Tamba district; he had deprived them of their cattle, and murdered a great number of them, and even those that had fled into the colony were pursued and massacred in the very midst of our population.

966. Were those Tambookies under our protection?—They were living on our border, and had been living peaceably, and the government were always in the habit of threatening any tribe that disturbed them.

967. Did the government consider themselves bound to afford them protection?—Yes, because whenever they were plundered, and their cattle taken away, they had no alternative but to rush into the colony and plunder us.

968. It appears it was not a matter of treaty but a matter of expediency, which induced us to afford them protection?—Certainly, there was no treaty whatever.

969. Were the Caffres aware that when they plundered, or murdered or ill-treated the Tambookies, that they would give us offence?—They were aware they would give us offence by plundering the Tambookies, and they must have been aware that we would not allow them with impunity to pursue them into, and murder them in the colony; I have no other clue to suppose that they would have thought we should take the side of the Tambookies, I have nothing in my recollection at this moment that would induce me to suppose that they had been warned, but I beg to say that there is a correspondence on the subject between the colonial civil and military authorities in Cape Town and the colonial civil and military authorities on the frontier, on this very subject. A difference of opinion then existed between the civil commissioner, Captain Campbell (who had succeeded Mr. Dundas), and the commandant of the frontier, who had represented that Macomo had acted as an auxiliary to some Tambooki chief, and at the request of that chief, but the civil commissioner had been sent up to inquire, and according to his report, the government concluded that there was no foundation for the excuse of Macomo's; the government then consulted me, and I gave it as my opinion that the Caffres being there entirely conditionally, that they having repeatedly broken their engagements, that they being in possession of a position very injurious to our frontier if we should have any disturbance with the Caffre land, they should be removed; the government determined upon clearing that part of the ceded territory of Caffres altogether, and I was sent up to co-operate with the civil commissioner and the commandant in carrying this into effect; I left Cape Town on or about the 8th April 1829, and it was not till after I had arrived at Algoa Bay that any body except myself thought of locating Hottentots upon the Kat river; the idea had struck me on my passage at sea, that it would be the best mode of carrying into effect the plan which had been determined upon by Sir Rufane Donkin, that it would give us a very strong and compact population in those parts where Sir Rufane had intended the Scotch Highland party should be located, and at the same time, that it was a most favourable opportunity after the law by which the Hottentots had been put upon the same footing as the rest of His Majesty's subjects came in force, of making a trial of what could be done with them in the way of civilization; the missionary, Reed, who was then at Bethel's Dorp, which I subsequently reached, was the first person with whom I conversed upon this subject, and the reply he made was, "it is just the thing which Mr. Bannister and I lately discussed;" and I believe he said, "it appeared in one of our colonial publications lately." From Uitenhagen, I for the first time sent my proposals on the subject to Colonel Bell, the colonial secretary, and I received the government sanction soon afterwards to carry

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carry this into effect, and this was the manner in which the Caffres were removed, and the Hottentots located upon the Kat river. I beg leave here to state my reasons for adopting this plan of establishing a strong and dense population on the line of the frontier; the ceded territory was entirely at the disposal of the government, and no person could claim any privilege in it; I therefore conceived the government were fully justified to put such restrictions upon the people who should be located there, as it considered necessary for their own benefit, and for the peace of their neighbours; I had then long since made up my mind that the great source of misfortune on the frontier was the system of taking Caffre cattle under any circumstances by our patrols, and I shall give my reasons; if Caffres steal cattle, very seldom the real perpetrators can be found, unless the man losing the cattle has been on his guard, and sees the robbery actually perpetrated, so that he can immediately collect a force and pursue the plunderers; if the cattle be once out of sight of the plundered party, there is seldom any getting them again; our patrols are then entirely at the mercy of the statements made by the farmers, and they may pretend that they are leading them on the trace of the stolen cattle, which may be the trace of any cattle in the world; on coming up to the first Caffre kraal, the Caffre, knowing the purpose for which the patrol comes, immediately drives his cattle out of sight; we then use force and collect those cattle, and take the number said to be stolen, or more; this the Caffres naturally, and as it always appeared to me, justly, resist; they have nothing else to live on, and if the cows be taken away the calves perish, and it is a miserable condition in which the Caffre women and children, and the whole party, are left; that resistance is usually construed into hostility, and it is almost impossible then to prevent innocent bloodshed; it also often happens that when the patrole is on the spoor of cattle really stolen, they find some individual head of cattle which is either knocked up or purposely left behind by the real perpetrators, near a kraal, and that is taken as a positive proof of the guilt of that kraal, and leads to the injustice which I have previously pointed out. There have been instances where the farmers have gone into Caffre land with a patrol, pretending to be on the spoor of stolen cattle, and where cattle was taken from the Caffres on the strength of this supposed theft, and on returning home he has found his cattle in another direction, or found them destroyed by wolves, or through his own neglect entirely strayed away; and thus men, not losing cattle at all, but coveting Caffre's cattle, have nothing more to do but to lead the patrol to a kraal, and commit the outrages above described; and the Caffres have frequently told me, "We do not care how many Caffres you shoot if they come into your country, and you catch them stealing, but for every cow you take from our country you make a thief;" this I know to be the case, and though I am aware that it is an unpopular view of the question, I must persist that as long as Caffre cattle be taken, peace on the frontier is utterly impossible; I therefore said "the government can dictate any terms they please to the people whom they allow to be located in the ceded territory, and each location shall consist at least of so many men capable of bearing arms, and actually bearing arms, that a portion of those men can be out with the flocks; and where it shall be proved that a man has left his cattle unguarded, or has not seen them for one day, whatever may be his loss, no hostile measure shall be taken against the Caffres, and no patrol shall cross the frontier in search of such cattle."

970. You consider that in some cases the colonists are negligent of their cattle, and that even in times in which commandoes were going into the country, and in which you would suppose particular precaution would be taken, you find that no precautions were taken by the colonists at all?—Certainly.

971. Did you with your own eyes see flocks without that protection which they ought to have?—Undoubtedly; I have gone through the country where people were clamorous for commandoes, and the commandoes actually assembling in consequence of alleged depredations, and I have been obliged to reprimand the field cornets and people for their neglect, as the flocks were scattered through the thickest part of the bush both day and night, unguarded, which was a sufficient temptation for barbarians to plunder us.

972. Do you think there are any other measures by which the flocks and the property of the colonists can be secured except by preventive and precautionary means of his own?—I decidedly say that one-tenth part of the cattle that are lost would not be lost if our people were cautious; but circumstances may occur where a man with all the precaution in the world may lose his cattle, though I am sure,

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if he is on his guard, he will be immediately able to collect a force so as always to find out the actual perpetrators and his own lost property.

973. Do you consider, in nine cases out of ten, the property stolen would not have been stolen provided the colonist had adopted only those measures which he himself could adopt, instead of resting his dependence upon the reprisal system?—I must divide my answer, and separate the cattle taken in open war from what is said to be stolen. When we are said to be at war with the Caffres, and they drive thousands of cattle before them with an overwhelming force, the matter is different altogether.

974. I mean cattle stolen during the time of peace, not in the open inroads of war?—Certainly, I think so.

975. You do consider that is nine cases out of ten?—Yes; but it must be understood that the people who live within the old boundary of the colony—I mean that part not belonging to the ceded territory—might perhaps have a right to say to the Government, "You must protect us, and we have a right on our lands to let our cattle run free as we please;" but in the ceded territory they have no right of the kind; the Government had a right to dictate what terms they thought proper. I am only showing the best use the ceded territory could have been turned to in defence of the colony. The Government could have laid down a system of preventive measures which would have effectually protected the frontier, provided the farmers were forced to guard their cattle, and could make stricter rules for said territory than perhaps it would have been able to do on the western side of the old frontier. The farmers on this latter might say, "we came here under your promise of protection, and you must protect us without imposing such obnoxious restraints;" but here, in the new territory, the Government might say, "you shall not reside here unless you submit to these terms, and your own safety and that of the frontier forbids that you shall be as careless and apathetic here as if you were living under the guns of the Cape battery.

976. You have stated, in nine cases out of ten, in times of peace, the cattle stolen were lost through negligence?—I should say the greatest part of it, at least if not nine times out of ten, which I believe would be no exaggeration. When one of the commandoes went out (the very one on which the cruel slaughter took place in 1830, and at the time when we were assembling the commando,) Colonel Somerset complained to me of the carelessness of the people, and said that all the way from the Gonappe to Port Beaufort the country was strewed with cattle, and that he did not see a single herdsman. Now, this was at a moment when a military party under Mr. Warden had been attacked, and when he (one of the most valuable, sensible and humane officers on the frontier) reported the Caffres to be very much exasperated.

977. The majority of those lost being lost by negligence when actually taken, do you think there are often fraudulent representations of robberies which in fact have never been perpetrated?—Undoubtedly.

978. Do you think that those fraudulent misrepresentations have been the means of our sending into Caffre land expeditions which have tended to disturb the tranquillity of the country?—Those fraudulent representations have misled our troops upon the frontier, and led to patrols upon the principle which I have here depicted, and which patrols decidedly are the main cause of the misfortunes of the frontier.

979. Do you think that when an expedition is sent into the Caffre land for the purpose of recovering cattle which have been stolen where some interval of time has elapsed, that the punishment of 99 cases out of 100 falls upon the innocent and not upon the guilty?—Yes. It is taking great latitude to say 99 cases out of 100, yet I think I may safely say so; at any rate, I may say in most cases decidedly.

980. Do you recollect a case in which the son of the chief Enno was murdered in one of these expeditions?—Yes; I recollect a Caffre chief well known to a gentleman present (Major Dundas) of the name of Yoyo stating to me, in confirmation of what Enno himself had said, that the patrol came early in the morning in pursuit of cattle, and that this man was aroused from his sleep by the galloping of the horses, and was shot just as he was getting out of his hut to see what was going on; my reply was that that was impossible, it could not have been so.

981. Did you find not only that that was possible, but that it was an actual fact?—Not

—Not a fact that this Caffre had been shot innocently; I did not find this statement confirmed; I have only the statement of the chiefs Yoyo and Enno.

982. Did you believe that that was the fact?—I had no authority but the Caffre chiefs. Yoyo was known to Major Dundas to be a superior man, and a very trustworthy Caffre.

983. Do I clearly collect your testimony in understanding you to say, that nothing can be more pernicious or more destructive to peace and civilization than the system of taking cattle from the natives as a compensation for what has been stolen or said to be stolen by the natives from the colonists, and shooting those natives on suspicion or even without suspicion, merely because stolen cattle are traced or said to be traced to their kraals?—Yes, decidedly; I attribute all the misfortunes on the frontier to Caffre cattle being taken.

984. Now proceed with your narrative?—Upon the above principles, on which my mind had long been made up, I was determined that into the ceded territory no people should go to live who would not consent to take the land upon the terms Government should dictate, and I recollect that the principal feature of my order was that upon every location there should be at least four men capable of bearing arms; that two of those should guard the flocks, that one might remain for the protection of the family and the premises, and the fourth should be at all times ready to go out in defence of the frontier in case of an invasion; and also, that if 24 hours elapsed after the loss of cattle, no pursuit should be allowed, and no Caffre cattle taken, under any circumstances.

985. What do you mean by location?—Every farm.

986. You mean that upon every farm there should be four men of this description?—Yes. I beg here to refer again to the commando which went out in 1830, upon the requisition of Colonel Somerset, and to the documents sent by me to Downing-street: I accompanied that commando; there were strict orders given that no cattle should be taken but what could be sworn to as colonial property, unless the Caffres should resist the taking of such colonial property; the commando was divided into various divisions, one consisting exclusively of Boors, and when we joined in the Caffre land the commandant of this division stated, that in trying to select the colonial property the Caffres had resisted, and that his people were obliged in self-defence, and in order to execute his orders to fire on them, and that several had been killed; I recollect that on hearing his report, both Colonel Somerset and myself said he had done very well.

987. Did he describe that there had been a severe battle with this tribe of Caffres?—A severe fight; that he had a fight for it.

988. A severe fight for it?—Yes.

989. Did you believe that he had had that fight, and report the same to the Government?—Yes; I believed the man's statement, and reported it to the Government as he had stated it.

990. Was the chief named Saco on that occasion?—There was a Caffre chief shot, of the name of Saco, with several of his people.

991. Now proceed to state what took place afterwards?—Not long after this, on again visiting the frontier, I was informed that this report had been false, and that this Caffre had been shot even unarmed; and I went into the Caffre land purposely to inquire into this, and from all the information I could collect, both from the Caffres and from the Hottentots who had been with this division, it appeared that those Caffres on seeing their cattle assembled, had requested of the commandant to retain possession of at least the milch cows, that he had permitted them to leave some behind, and that they had followed him, upon his saying that they might come and demand their cattle of the military commandant and me, provided they left their assuagais behind, which they did, and that they were assisting in driving their cattle through the bush when they were fired upon and shot.

992. By the commando force?—Yes, and this statement I also sent to the Government.

993. Was the officer who commanded that detachment of the commando subsequently employed?—He remained in his situation up to the time when I left the colony; that is two years and a half ago.

994. Do you mean by the words "it appeared," to say, that the result of your inquiry led you to that conclusion?—Yes.

995. And of that conclusion you have no doubt?—No, none in the world.

996. Was the name of that person Erasmus?—Yes; he commanded that division.

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997. You said that you stated this violation to the Government; what steps were taken?—I do not know.

998. Was there any notice taken by the Government of your second communication?—I received no answer.

999. Did you state to that officer that you had made a communication to Government to that effect?—Yes, I did.

1000. Did he admit the truth of your representation?—I did not press him to that extent.

1001. Did he deny it?—I sent him a letter to let him know what the charge was; expecting his reply, I did not wish to push him to an admission, expecting an investigation to follow.

1002. Did he reply at all to your letter?—No; I must observe that this was connected with various other cases, in violation of the principles which I had established for the frontier protection.

1003. Can you state any other case?—Yes. A man of the name of Schepors, had accepted a grant, upon the conditions which I had imposed in the name of the government; he had represented at one of the posts that he had lost cattle, stating that he had lost I think 36; upon that statement, (and I mention this particularly as an exemplification of my reason for not, under any circumstances, sanctioning the taking of cattle and leaving the people to starve,) he went with a patrol up to a Caffre kraal of the chief Boteman, and there forcibly took back nearly double the number of what he himself stated he had lost: this case was also reported to the Colonial Government, in order to be made the subject of inquiry, and I received an answer, that the man should be punished if the report was confirmed; whether an examination took place I do not know.

1004. Do you happen to know whether it afterwards appeared that he had not lost the original number which he himself had stated?—His field cornet told me that he did not believe he ever had more than 15. Boteman then, in order to indemnify himself, attacked another Caffre kraal and there was blood shed on the occasion; and now I would ask any man, whether it is possible for the frontier to be in a state of peace, if such proceedings be carried on upon an extensive scale. When Gaika spoke to Sir Rufane Donkin about the occupation of the ceded territory, one of the principal points he dwelt upon was about the Boors on the frontier exposing themselves, going unarmed, and their cattle running wild and unguarded all over the country, all of which he considered as giving too great a temptation for his people to plunder the farmers, and revenge earlier wrongs by murder. Many farmers, both English settlers and Dutch have often spoken to me about the injurious tendency of this system; the majority of those farmers wish for nothing but peace and the protection of themselves and their property; but it is impossible in such an extensive community as our's, living in the state as some of our people do, that there should not be among them unprincipled men, who would be glad to avail themselves of every opportunity of enriching themselves at the expense of their weaker neighbours; and it is cruel that a whole community shall suffer for the crimes of these few; nor is it reasonable to suppose, that in a nation of barbarians there should not be numbers addicted to plunder; but then again it is equally cruel to drive a whole nation to desperation for the aggressions of a part. I will give another instance, to prove that I had grounds for wishing my plan adhered to: a farmer, named Drier, claimed cattle out of the very batch brought out of the Caffre land where the people above spoken of were shot; he got his number according to the returns of what he had previously represented he had lost. I shall mention names, in order that it may be inquired into if necessary;—a farmer, of the name of Hans Hansburg, stated to me, in the presence of young Mr. Andrews, who was then my secretary, that Drier's cattle had constantly been trespassing on his land; that he had repeatedly sent them back to him; that at last he had been tired of doing so, and allowed the cattle to take their course; sometime afterwards, Drier called and asked him for his cattle, and he told him he could take no longer care of them; some time after that, Drier claimed and got compensation out of the Caffre stock, as above stated; he subsequently got a communication from some man living 30 miles in the rear, within the old boundary of the colony, who knew his cattle, telling him again that his cattle were trespassing upon his land there, and that he must come and fetch them away; he thus got back his own cattle, and still kept what he got from the Caffres, under the plea that his ancestors had also been plundered by Caffres: now I maintain, that with the best disposition, both on the part of our people

people and the Caffres, (which last are certainly nothing better nor worse than what we may expect barbarians to be,) it is impossible for them to remain quiet if we carry on this along the whole line of our frontier.

1005. Then do you attribute the disturbances, which have so constantly prevailed on the frontiers, and the acts of severity which we have been obliged to inflict occasionally, and the backward state of improvement of the natives, and the necessity of maintaining a large military force on the frontiers, to this cause; namely, the seizure of Caffre cattle, for cattle stolen or pretended to be stolen from the colonists?—Decidedly.

1006. You think that is the great source of these evils?—Certainly.

1007. And the great source of expense to government in keeping up a sufficient military force on the frontier?—Yes, decidedly; it leads to this, that when cattle are taken, those from whom they are taken have nothing else to live on, they consequently try to keep possession and defend themselves, this is "resistance," we then use violence, they are shot, and at last comes war, and war without end.

1008. I think you stated that there were 30,000 head of cattle taken in Colonel Brereton's commando in 1813?—That was the number stated to me, but I believe that was beneath what was actually taken.

1009. Did that lead to the commando of Colonel Wiltshire in 1819?—As a natural consequence, the Caffres came in and plundered the whole country, and then the government could not help going to war with them, otherwise they would have been obliged to give up great part of the colony; the alarm had reached to the vicinity of Cape Town.

1010. And this led at last to the expulsion of the Caffres from the ceded territory, at least that was the cause of it?—Yes, decidedly; the Caffres came in, when they had nothing left, an immense mass of cattle was taken from them; they rushed into the Albany district, and we were obliged to carry on the war against them to get them out of the colony, and when the frontier was once more clear, the government saw that when in that state the Fish River frontier was no longer tenable with a people upon it, driven to such a state of desperation.

1011. From whatever cause, they were not suffered to remain there?—No.

1012. But the original cause of all the mischief and the conflicts that took place, and the disposition of the Caffres to plunder, arose from the system of taking their cattle?—Certainly; and while this system of taking their cattle prevails, it is impossible that the Caffres can remain quiet, and all the measures we may adopt for the improvement of them will be totally useless, as I have often said.

1013. Do you think we can have a system of peace and tranquillity, and the introduction of civilization among the natives, so long as this system of seizing their cattle continues?—Decidedly not; they cannot be quiet, the people must eat.

1014. Do you think it is in vain to attempt to civilize and christianize them as long as this system of plundering them of their cattle continues?—Yes, it is in vain to attempt to civilize and christianize, if people have nothing to eat.

1015. Did you represent to the government that the continuance of this system would render it necessary for the government to annex the Caffer land to our dominions?—In both my statements which are before the Committee, it will be found that almost the very words were used long before any of the late outrages began. As a natural consequence of our commando in 1818, followed the expulsion of the Caffres, and the seizure of the ceded territory. We will go from one line to another, and we will take one slice of the country after another, and as long as you continue to take the people's cattle so long will this take place, and you will go from river to river till you get to Delagoa Bay.

1016. Do I understand right, that though this system of reprisal is approved of by some of the Boors interested in it, it is held in reprobation by a great portion of the settlers?—I may say by hundreds, because they are losers by it; for instance, a settler who loses his cattle, gets a patrol and gets his number back, out of the Caffre stock, but in many cases they are not able to keep possession of their cattle, it is soon after seized again, the Caffres must come and take them if they can, as they must live on them; there are many men on both sides of the frontier who mean well, men who would not do any thing dishonourable, but in such a society as ours is, it must be supposed that there are some unprincipled men who cannot withstand the temptation of enriching themselves at the expense of the Caffres.

1017. Then you are of opinion that our military force which we are obliged to maintain to deprive the natives of their cattle and to deprive them of improvement,

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is beneficial to nobody but to those who wish to plunder the Caffres of their cattle?—The patrolling system benefits no other party, and even these men derive no permanent advantage from it, unless they send the Caffre cattle which they obtain far out of the reach of the Caffres as Schepars did, and then others are plundered in their stead.

1018. Are you aware of a case in which a man had lost some horses, and who, I think, went on his own authority into Caffre land, with something like a patrol, and recovered a great portion of horses, and then made his complaint to government, and another patrol was sent out to take cattle from another kraal?—I do not of my own knowledge; I cannot call such a circumstance to my mind.

1019. Was false intelligence of the conduct of the Caffres sometimes given to government, and was that nearly leading to Caffre wars during the time you were there?—Yes, in 1829, there was a man of the name of Bezuidenhout, a man of the most degraded character perhaps in the whole colony; there was no farmer who would have believed him, he came out of Caffre land and informed Colonel Somerset that there was a combination of all the Caffre chiefs to rush into the colony, he had overheard them; and in consequence of that report there were various movements made amongst the military, expresses sent to Cape Town, all the burgher force in several districts was put in motion. I was on my way to the frontier, and the governor intended also to go up, and did so. I had reached the frontier before him, and I entered into the most minute investigation and found that every word this man had said was perfectly false, he contradicted himself in every way, and at last the very man whom he had appealed to, as having been with him, and who he said could speak to the conspiracy of the Caffres, knew nothing at all about it. The papers are very ample which I sent to the government at the time. Now, the result of this might have been a bloody war, (I know the Caffres were in the highest state of agitation and alarm on hearing the report of the colonial troops being in motion) and nothing was more likely than that the Caffres should rush into the colony to get under the cover of the forests in the Albany district, as soon as our forces should enter the country they occupied; and when once in the colony, the report of the invasion would have been called confirmed, and we should have had a war which might have cost hundreds of lives and many thousands of dollars.

1020. And the fault of that entirely laid upon the Caffres?—Yes; if the Caffres had rushed into the colonial forests for protection, that would be called an invasion.

1021. Did something of the same kind occur in the year 1831, in the commando which took place at that time, or the commando which was required at that time?—I must state that I had, from satisfactory information given to me, the most ample reason to believe that all the reports made by the farmers at that time to Colonel Somerset, were principally if not altogether false, which led to the commando, and I will state my reasons. When I reached the frontier in 1831, at Graham's Town, on the race course, Colonel Somerset spoke to me, and said it was necessary that a commando should go into Caffre land, that he had reports from every part, that horses were taken every where, and that the country was in the utmost state of agitation. Now, the recollection of the commando the year before rested heavily on my mind. I then said I should look deeper into this; I did, and I found that, so far from the country being in a state of agitation, and from the people's being tremendously frightened, the cattle were running wild as usual, over all the ceded territory, and instead of being greatly agitated, the Caffres were in the most perfect state of tranquillity. Thus had the commandant been deceived by these reports.

1022. But was the system of patrolling still continued when you found the Caffre land in that state of tranquillity?—Upon the reports which the commandant made to Cape Town, the Governor wrote directly, sanctioning the commando, which the commandant required. I was then on the frontier. Now here I must again say, that it was my business to decide whether a commando were necessary or not, I was appointed for this very purpose, and therefore I at once said, when I got the letter to tell me from the Colonial Office that the Governor sanctioned a commando, I being on the spot; "Well then, there is no necessity for me." It was the very day I came from Caffre land, I had had interviews with the Caffres, and had found them in the utmost state of tranquillity. I was among hundreds of Caffres without a single armed man with me. The Caffres had heard that we claimed horses from them which they were said to have stolen, they were very much

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much alarmed and were actually sending into Fort Beaufort some of their own horses, with a view of pacifying us and preventing the commando. I had then seen that the people in the ceded territory did not mind one straw the regulations which I had issued about four armed men being kept on each place, and in defiance of all I had said and done, patrols continued to take Caffre cattle, their taking care of their cattle; and at that time also I heard that the report which had been made the year before, that Zeho and his people had fallen in battle, was wholly false.

1023. You then found that the report which you had heard the previous year was untrue, and that Zeho and his people who were reported to have fallen in battle were in fact murdered in cold blood?—Yes; I had also found out the affair of Schepers and the two other cases which are also contained in these documents, the names I cannot recollect at this moment; I then wrote to the Governor officially upon the subject, and pointed out what I thought it would lead to. The Governor then altogether disapproved of the commando and found fault with me for not having stopped it, and for not having protested against its going. I did not think I was justified in doing that in the face of the Governor's authority granted to the military commandant.

1024. Had you any authority over Colonel Somerset?—No military authority whatever, but I was under the impression that no attacks upon the Caffres ought to be made without my being consulted upon the subject, and my having sanctioned it, else my office could be of no earthly use that I can see.

1025. Was it considered a part of Colonel Somerset's duty to attend to your suggestions as commissioner-general?—I think it was, I am not aware what separate instructions he had, but I know when the Governor disapproved of the above proceeding, he at least was told, he ought to have mentioned the objections which I had made.

1026. In any instruction which you received from government, were not the relative duties with regard to the military commandant defined?—Yes, but not so defined as to prevent our clashing, and of course the commandant was justified in writing to Cape Town his sentiments if he disagreed with me, and receiving the Governor's orders, and he having received the Governor's orders, of course I considered myself neutralized, and would have thought any interference on my part extremely improper.

1027. Were you in that commando of 1831 called upon to sanction the reprisal system in violation of the understanding which had taken place with the Caffre chiefs?—Taking Caffre horses or cattle from the Caffres subsequently to 1829, except under the circumstances already explained, was in violation of the understanding subsisting between the government and the Caffre chiefs; there is no doubt of that.

1028. And was it part of the instruction given on all occasions to shoot the Caffres wherever they traced the spoor of the cattle distinctly to any kraal?—No instructions to that effect were ever given that I know of, it was part of the proposal contained in the military commandant's suggestion, which the Governor sent to me, in order to concoct in concert with the commandant, some measure of general frontier defence, I then at once said I would never sanction that, I immediately made up my mind rather to withdraw from all connexion with the frontier, than ever sanction such a plan, I could not do it; it was quite bad enough, that when the Caffres found their own cattle going to be taken away from them and they tried to prevent it, then to shoot them, but merely because the trace led a kraal to shoot them, it would be awful, I rejected the proposal at once. The Caffre chiefs have repeatedly said to me, "Shoot as many Caffres in your country as you find there, we will thank you for doing so; they have no business to go and do mischief there and bring your commandoes upon us, but do not come into our country and make war upon us when we are at peace;" and as for shooting them merely upon the trace of cattle, such a regulation was never heard of before.

1029. Did Gaika, in his treaty with Sir Rufane Donkin, urge that point strongly, namely, that we should not seize the cattle in the Caffre territory as a compensation for cattle stolen?—No; the points between Sir Rufane Donkin and Gaika were, that the people should not go unarmed so as to afford a temptation to the Caffres to murder them, and that their cattle should not run wild, as had always been the case from time immemorial, which had led to so many misfortunes, as every vagabond Caffre was then tempted to take cattle, which invariably leads to commandoes at last.

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1030. Was the commando of 1831 to a very considerable extent?—I cannot be certain, I have heard that it was; I was there at the time the boors were all assembling to go to the commando.

1031. You cannot speak to your own knowledge what was the extent of the seizure of the cattle during that commando?—No, except from report.

1032. Do you believe it to have been an extensive commando?—I should not like to say, not knowing positively, I have never heard any thing of that commando, except from the Cape papers; no report was made to me; I was nullified altogether.

1033. When did you leave the frontier?—I left it towards the close of the year 1831.

1034. Did you then resign your commission as commissioner-general?—No, I waited to see what orders would be issued in consequence of my remonstrance against the commandant's proposal, and my representations of the occurrences above detailed, but some time afterwards I went to Cape Town upon a summons from the orphan chamber who had an action against me.

1035. Did you take that opportunity of communicating with government on the affairs of the Caffre land?—Yes; and soon after my arrival about the close of the same year there was a great alarm occasioned by the report of the intention of the Caffres and the Hottentots to attack the Boors, and it was said that the Boors were going to exterminate the Hottentots; then I offered my services to the Governor to go up; he said it was not necessary. I then wrote a letter to the Colonial Office, stating, that I was ready to go, but I received no answer; some time afterwards a band of rebel Gnequos and Corannas made an attack upon the northern frontiers. I was then ordered to report upon the suggestions of Mr. Raneval, the civil commissioner; I did so report, but at the same time told his excellency the Governor that I believed it to be part of my duty not to report upon this business, but that the report should come through me, and that I should have the entire management of that affair. His excellency said it was not necessary for me to go there; I then, clearly seeing that I was of no sort of use, officially begged permission to come to Europe, having made up my mind never to go back under the same circumstances.

1036. Was your salary paid up to the period of embarkation?—It was paid up here to the period of the abolition of my office.

1037. When was that?—At the end of 1833.

1038. The office was abolished on your representation of its inefficiency?—Yes, upon the footing on which I held it, it was totally inefficient, totally useless, and an impediment to the service.

1039. You considered your powers to be interfered with by your not having sufficient exclusive superintending authority given to you?—I considered my powers nullified by my (with very few exceptions) knowing nothing about what was going on in my department as commissioner-general; the correspondence on almost every subject went directly between the Colonial Secretary and every branch of my department, or what I considered my department. I was only occasionally referred to for report on matters, of which the management belonged to me, and my representations remained unnoticed.

1040. Then your authority was virtually superseded?—Yes, with the exception of a very few cases as referee, as above stated.

1041. We have tried the system of military coercion now for many years and to a great extent; we have had great public commandoes in 1818, in 1819, in 1823, in 1829, in 1830 and in 1831; we have had besides those, military patrols and inroads for the purpose of seizing cattle stolen, or said to be stolen by the natives; notwithstanding the extent to which we have carried this, does it appear that it has wrought the effect which was anticipated from it, and that peace upon the borders has been obtained?—Decidedly not, the contrary has been the effect as appears by the papers, which I sent into the Secretary of State on leaving office; how it is since I cannot say, for I have no communication within the Cape, except my private relations and friends, not being connected with any party or its politics.

1042. In 1831 was the frontier in a much less tranquil state than it was before any troops were there?—Most certainly, if we believe the reports of the commandant.

1043. Were robberies as numerous as before the troops were there?—They were represented to be so.

1044. Do you think that this system of military coercion, besides the other evils it has introduced, and besides having led to war with Caffres, has been utterly ineffectual for the object for which it was intended?—Decidedly.

1045. The Caffres have a disposition in common with savages generally for pilfering and plundering, but do you conceive they can with any great propriety be called public thieves?—The Caffres are barbarians, but no savages; it is a mistake to call them savages, as much as to call them gentle and inoffensive, they are just as people in their circumstances can be expected to be; they cultivate land to an enormous extent, and the commando with which I went into the Zuerveld against them in 1812, were many weeks in destroying their corn, they are therefore an agricultural people, and they have also extensive flocks.

1046. Can they with any propriety be called a nation of thieves?—No, there are plunderers amongst them, but I cannot call them a nation of thieves.

1047. Is that their character?—Certainly they are not a nation of thieves, and I believe there are civilized nations in which the proportion of thieves is greater.

1048. It appears from your statement that the Governor was reluctant to continue to employ you in the situation of commissioner-general, although you were not actually removed; can you state to the Committee what were the reasons for that interruption of the Governor's confidence?—I know of no interruption of confidence; Sir Lowry Cole was the governor, and there is not a man for whose character as a private individual and for whose public integrity I have a greater respect; the Governor's conduct to me personally was uniformly of the kindest nature; as an individual, therefore, I am under the greatest obligation to him; but whatever may have been his reasons, this much is certain, that he did not choose to employ me to do those duties for which I was appointed, and thus made the situation useless; I might state that I have some guess as to those reasons, though his excellency never told me what they were; it struck me that he believed that the chief authority on the frontier should be a military man and of sufficient military rank to unite both the military and civil authorities in his own person. The Governor never found fault with any one single act of my official duties, but he has said to me when I complained of the non-efficiency of my situation, that I was too sanguine and allowed my feelings to get the better of my judgment, and desired me to treat the remarks of the public with contempt.

1049. The motive of the question put was this, in order to ascertain whether the Governor disapproved of your system of conduct towards the Caffres, was it disapproved or not?—I have no criterion to judge, except that it was not acted on, he never told me he disapproved of what I had done, on the contrary, he behaved towards me in the kindest manner; but I was not employed, my business was entrusted to others; I felt that my situation was rendered perfectly useless, and I would not stay in it under such circumstances.

1050. One of your opinions was with reference to the treatment of the Caffres, that some greater degree of indulgence should be extended towards them; did that opinion give dissatisfaction at head-quarters?—I am not aware that it did give dissatisfaction, but I know that that was not acted on. My orders and complaints were disregarded.

1051. Did I understand you correctly, that your system was one of very great severity towards the Caffres if actually detected in the offence?—Yes, very conscientious men have often criticised my system as too bloody; but I felt that I had also to protect the colonists against murderers and plunderers, and could not sacrifice those to conciliate my accusers.

1052. While on the other hand your mind revolted against that system, which in your opinion punishes the innocent in place of the guilty?—Yes, my system was protection to both parties on the frontier, our people cannot live there unless they are protected; and I never, in my whole life, encouraged crime by misapplied mercy to a gang of known robbers and murderers. I have been considered by very worthy men as a great deal too severe upon this subject; but I say we cannot have peace, either if you leave the colonists unprotected, or if you take the property of their neighbours, and if you are to shoot them when they resist, though that is not so bad as shooting them merely upon spoor being traced to their kraal, which no inducement in the world would make me consent to.

1053. No inducement in the world would prevail upon you to accede to this proposition, that it is indispensable to shoot a Caffre, where a patrol, headed by an officer, traces the spoor of cattle directly to a kraal, to that proposition you could not accede?—I could most certainly not agree to that.

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1054. Did that proposition exceed what the least scrupulous of the Boors demanded?—Yes; no one ever asked for it as a regulation, though some may have acted on it.

1055. Would it in your mind, certainly, and without doubt, have led to a regular war of extermination, and rendered it necessary to take possession of the whole of the Caffre land?—It must if you do that; if you do enter and take the cattle, and shoot the people in this way, you will soon possess all Caffre land, as you must take one slice after the other.

1056. Then there would be in fact in this system, in your opinion the seeds of continual disturbance and continual war?—Certainly.

1057. Till it arrived at extermination?—Yes, one party must go the wall, and that of course would be the weaker. These people, as I said, are an agricultural people now, and if you deprive them of the means of subsistence they become a wandering tribe of huntsmen; in fact they will become what we have before our eyes, bushmen. That undoubtedly will be the result, and unless something can be done now for these men, there will be no safety till they are all exterminated. To civilize man you require education, religion, arts, sciences, &c.; but to make him a wild beast by a rapid process, you require nothing but oppression.

1058. Have you any further suggestion to make to the Committee?—I wish to mention, with reference to my objection to the reprisal system, that very conscientious men, acquainted with Caffre land, seem to think, that if we take the number of cattle taken from the colony in Caffre cattle, the Caffre chiefs have a system amongst themselves, by which they finally make the loss fall upon the guilty party; but that would not do by any means, because it would not prevent the injustice we commit; for supposing the cattle taken from the colony be recovered from the thief, and given to those from whom we took the Caffre cattle, still, as soon as a commando enters Caffre land, subsequently all the cattle that can be sworn to as colonial cattle are taken from the Caffres and brought out, and thus the innocent still must suffer, and we obtain a double compensation, which would be too great a bounty on patrols and carelessness.

1059. Have you any further observations to make upon this subject?—None that strike me at present.

1060. You see no reason then to alter your opinion, that so long as the system of making reprisals upon Caffres, and taking their cattle continues, so long we shall continue to punish the innocent for the guilty, and take the property of the peaceful; and so long as we continue that system they must continue to plunder us, and we must continue to shoot them?—That is my firm opinion.

1061. And the system of carnage and cruelty and crime must prevail, and be a bar to all civilization, improvement and christianity?—It is my opinion decidedly, that there can be no improvement and civilization unless there be security to both colonists and Caffres.

The Rev. *William Shaw*, called in; and further Examined.

The Rev. *William Shaw.*

1062. CAN you give any further illustration of the beneficial effects resulting from missionary institutions?—I wish to state a case which will illustrate that very strikingly; without missionary influence it would have been scarcely possible for the colonial authorities to obtain friendly interviews with the border chiefs. Early in 1824, and shortly after the commando had entered the country occupied by Gaika's tribe, Colonel Somerset wrote to me, desiring me to inform the chief Isambie, and also Pato and the others with whom I resided, that he was desirous of having an interview with them, for the purpose of making some arrangement for obtaining the restoration of many cattle that had recently been stolen, and also to prevent future robberies. I sent messengers to the chief Isambie, but he said he had not had an interview with a British officer since before the war of 1819; that during that war he had been hunted like a spring bok, the object of our troops being if possible to take him prisoner, and he therefore must decline any interview with our troops, as he was afraid the only object was to entrap him and take him away prisoner, as they had on a previous occasion done with the celebrated prophet Lynx or Mokamma, who belonged to his tribe. Finding it would be utterly impossible that any arrangement of an amicable kind could take place unless Isambie and Colonel Somerset could meet, I sent two or three successive messengers, as he resided some distance from me, begging that he would accede to the proposal. He

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at length sent a message that he would not go unless I would accompany him; and on learning that I would accompany him, and myself become surety for his safety, he would consent to meet the colonel. I wrote to inform Colonel Somerset of his proposal, and as there appeared to be no other mode of obtaining the desired interview, he consented to his coming in that way; and the result of the whole was, that a very friendly interview took place, when various matters that had long chafed the minds of Isambie and Pato merely for want of explanation, were cleared up to their satisfaction, and an arrangement was made allowing the tribe of Isambie, who from 1819 to 1824 had been obliged to reside altogether beyond the Buffalo River, to return and occupy a large tract that was then vacant lying between the Buffalo and the Keiskamma rivers. This arrangement had a most salutary effect in lessening the number of depredations for a considerable time afterwards. I conceive that that interview could not possibly have taken place under the circumstances but from missionary influence.

1063. Do you conceive that the missions really produce among the natives a desire to adopt more civilized habits?—Yes, and in proof of that I would state, that such was the desire of the native inhabitants of our mission village at Wesleyville to obtain useful articles of civilized life, that I found it necessary to ask the permission of the Government to establish a proper person there in the character of a storekeeper or shopkeeper, for the purpose of selling clothing and other useful commodities to them, to which the traffic was restricted by the regulations which I had imposed upon them with the concurrence of the Governor. They bartered the produce of their country in order to obtain these useful articles of civilized life to a very considerable extent. Certain traders who traded in other parts of the country conceiving their interests to be interfered with by this establishment, prevailed upon the government to give an intimation that the permission for the continuance of this store should be withdrawn. Upon my intimating this to the chiefs they were exceedingly chagrined, and desired I would write their views upon the subject. I was going from home, and said that I should prefer that the schoolmaster of the place should write a letter in their own language with their own words, which I would afterwards translate and forward to the government. At the dictation of the chiefs, the schoolmaster accordingly wrote in their own language an address to the governor. I hold in my hands the original document, and if the Committee think proper, I will now read it, as I conceive it will clearly show their anxious desire to possess the means of obtaining useful commodities, a desire which had originated solely out of the influence of the mission. This is the original document; the former part is in the Caffre language, and the latter part in the English language, being a very literal translation: "To the great chief of the colony.—What shall we do about this custom which you gave us? You gave us a fine custom, and we received it with gladness;" alluding to the permission of the establishment of a shop. "We have bought European clothes, we have bought waggons, we have bought (iron) cooking pots; our food we have bought here, because we have no corn. What shall we do now? for you now say let it (i. e. the store) go away. Do you say, let us return to the old custom? Will you be satisfied if we dress in karosses of hides, with red clay, and beads, and buttons, and brass wire? These things we have already forsaken. Did you not mean that we should become human beings? How shall we act to become human beings, if you say let that go away which makes us people? Whose word (order) was it that came and said, let a house of traffic come here? Whose word (order) is it that says, let it go away? Have we erred because we have bought these things? We ask thee, great chief, because thou seest that which is good for us. We entreat thee, great chief! because we have forsaken beads and buttons; we now seek food, and clothes, and cattle;" they sometimes purchased improved breeds of cattle from the trader. "We already see that beads help us nothing. We cry to thee, because when we sell our goods we seek the things that we love; those who seek food, and cooking-pots, and clothes, cry to thee, chief, because they hear that thou hast said, let these things go away. What shall we do when our wives are confined, for they drink not milk at that time? we shall all die, because for three years we have not obtained corn. Fort Wiltshire is too far to go and buy food; the people will feel hunger, and when they go far and happen to see any thing, they will steal."

1064. Do you consider that was really their own dictation, or was it prepared for them by others?—The original is precisely in the words which the chief dictated, and the English is a faithful translation.

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1065. You believe those were their real sentiments and their own mode of expression?—Most entirely and literally so.

1066. Have you any further observations to make upon that question?—No.

1067. What reply did the Governor send to that application?—I am sorry to say no notice whatever was taken of it.

1068. Was the shop taken away?—No; after sustaining a prosecution instituted by government, (notwithstanding its own permission for the establishment of the shop) on a technical point, the supreme court of justice at Cape Town decided in our favour, and as the whole plan of the Caffre trade had in consequence to be revised, I prevailed, through my influence with the officers of government, to establish such regulations as included the Wesleyville shop, and allowed of its continuance.

1069. In your attempts to impart instruction did you find the natives possessed of intellect sufficient to understand and reason upon the great truths of christianity?—Quite so; I have also another document if you will allow me to read it; it is short and it will forcibly illustrate that. It is an original record made at the time, and not got up for any special purpose whatever; the portion of it which I wish to read bears date August 1831. It was the custom of the missionaries of the society to which I belong, to hold weekly catechetical meetings, the missionary delivering a short discourse on some leading fact or doctrine from the Bible. At the close they were invited to ask any questions respecting what they had heard, for the purpose of eliciting whether they had correctly understood our meaning; and this is a record of questions asked on a series of short lectures of this kind. On the first occasion, the subject of the lecture was, the history of the creation in six days, and the blessing pronounced upon the seventh day. It was also explained to them that God's word was spoken by God to Moses and other holy men, at different times, and by them written and handed down to our fathers, who delivered them to us. The first writers of the word of God proved that they came from God by miracles; this was the outline of the lecture, at the conclusion of which, different individuals of the natives spontaneously asked these questions. "When Adam and Eve met, did not Eve ask Adam where he came from? How is it that men first made the cattle serve them, and be useful to them? When was Satan made? Are Adam and Eve yet alive? Did horses bite when they were first made?" Questions which show they had an apprehension upon the subject which they had heard. The subject at the ensuing lecture, was the History of the Fall and its consequences, and the promise of our recovery through Jesus Christ. The questions successively asked were, "When did Satan get out of the shape of the snake? Has Satan a wife? Was Jesus Christ born of Eve? Was Jesus Christ a man? Did Satan come from heaven to tempt Eve? What is the name of the tree which was forbidden? What food was eaten before Adam sinned? Did Adam and Eve eat meeties Caffre corn? If all men are from one man how is it that there are so many languages? Do not black men come from a black man, and white men from a white parent, originally created by God? What colour was the first man? Who was the father of the mother of Jesus Christ? What was the name of the Virgin Mother of Jesus Christ? What was the name of Adam's wife? Where was Adam that he allowed Eve to eat of the fruit of the tree? Did Satan bring the serpent out of hell, or did he go into the snake after he left hell? Who was Satan born from?" These questions are singular and curious, and indeed in some instances puerile, but I conceive they exhibit the true character of their mind and the state in which we found them, more clearly than can be done in any other way; these questions will also serve to show that they possessed sufficient intellect and powers of mind to be quite capable of understanding and also of reasoning upon what they heard.

1070. Supposing the home government confirm the arrangement which it is said has been made for removing the boundary of the colony as far eastward as the Kye River, what suggestions would you offer as to the occupation of this large ceded territory?—If government should confirm the cession of this territory, I would recommend in the first place that it should be divided into sections or townships; and secondly, that one or more of those sections be granted to each of the tribes that are willing to become tributary to the British; thirdly, I would place those who are most deserving of confidence nearest the old border; fourthly, I would reserve some intervening sections or townships in suitable places for military posts and British settlements; fifthly, I would discourage the practice of forming solitary farms; let the settlers be located in these townships, and let there be a village conveniently

conveniently situated in every township to form a place of assembly and safety for the more scattered settlers on every alarm. I beg leave to adduce Salem and Theophilus as instances of the advantages of this system. These villages, although much exposed during the late war, formed places of refuge which did not exist, where the inhabitants live in solitary farms far from any village; sixthly, I would absolutely prohibit and declare to be illegal, the sale or letting on lease by the aborigines of their lands to any European settlers; and, lastly, I would grant in every section of the country suitable tracts of land to missionary societies for the formation of missionary settlements and school establishments.

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1071. Have you any further suggestions to make to the Committee upon this subject?—No.

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*Veneris, 21° die Augusti*, 1835.

## THOMAS FOWELL BUXTON, ESQUIRE, IN THE CHAIR.

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Captain *Stockenstrom*, called in; and further Examined.

1072. HAD you an opportunity of witnessing the conduct and the proceedings of missionary societies at the Cape of Good Hope?—Yes, to a certain extent I had.

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1073. Were you acquainted with the particular system which they adopted towards the natives in any particular instance?—Not particularly, but I know they gave themselves every possible trouble to teach them the Christian religion. Whenever an opportunity occurred they exerted themselves to improve their temporal condition, and generally espoused their cause in making representations to Government on their behalf, if necessary.

1074. Did it appear to you that their instructions had a good or evil effect upon the minds of the natives in all respects, whether they had made them sincere converts to the Christian religion, whether more honest and conscientious in their dealings, and whether, in consequence of the influence which was exercised upon them by the missionaries, they became more docile and tranquil to the British Government?—I should think it necessary to answer that question by entering into particulars, and leaving the Committee to draw its own conclusions. It would be necessary to state in some detail the line of conduct pursued by some missionaries with whom I myself was in contact: for instance, there were missionaries who sometimes, as I conceived, were in the habit of making representations which they had received from natives, which they conscientiously believed to be perfectly true, but which often were not well founded; and I myself, in my capacity as magistrate, often had to refute representations which had been made, and in which I considered myself implicated. In these controversies often very angry feelings have been displayed, from which I myself have been by no means exempt, as the records will show; but, upon calm reflection, I think we shall be disposed to look on missionaries as placed in a peculiar position, where they might feel themselves called upon to act more particularly as the guardians of the interests and the pleaders of the cause of the coloured classes; therefore, I always, in moments of sound reason, when the dictates of justice could have their full sway, thought that great allowance should be made for a very strong feeling on their part. Now there can be no doubt that often that feeling has been exercised with very great advantage, not only for the natives themselves but for the general benefit of the country, by exciting a sensation, causing discussion, rendering us more circumspect and eliciting truth, which will always prevail at last; and if those feelings have sometimes led to so strong a bias, that individual missionaries have shown a disposition to shut their eyes and ears against every but their own side of the question, we ought not to forget that they considered their clients the weaker party, and that some of their opponents often displayed an equal degree of partiality. But to decide the question fairly, we must consider the general operation of the influence of the missionaries upon the native tribes. Let us observe, for instance, the missionaries at Wesleyville. There are gentlemen in this room more particularly acquainted with the relations between the Wesleyan missionaries and the Caffres on the coast. I am of opinion that the conduct of those Caffres under the chief Pato, which has been considered generally very regular and very proper,

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and during the late disturbances, as I understood, particularly quiet and peaceful, owing altogether to the influence of the Wesleyan missionaries. It strikes me that it is impossible to deny that the benefit thus conferred is incalculable. Now there is another set of missionaries belonging to the London Missionary Society, and in 1832, I believe it was, that there was an inroad of a marauding horde of Corannas, Hottentots and others, who were considered outlaws, and independent —the Griqua tribes. They slaughtered indiscriminately several families, and plundered to a great extent; a strong expedition was sent against those people, but was unsuccessful. It was apparent to every man acquainted with the northern frontier, that if it had not been for the influence which the London missionaries had gained over the Griquas, we should have had the whole nation down upon us. It was only the state of feeling produced by that influence which prevented the Griquas from taking advantage of the exposed condition of the country, and the panic then existing, to give vent to their old animosities against the colony, and overrun the northern half of it. Had they been without that helm—that influence, I say, of these missionaries—we should have had a strong tribe instead of a gang of robbers to contend with. We had no force to arrest them if they had; and I have been informed that, since I left the colony, the Government has been able to enter into a sort of treaty with the chief Waterboer, of a most beneficial nature to the Corannas and the Griquas themselves, as well as to the safety of the northern frontier. Now that those people are in that state to enable us to treat with them, I attribute altogether to the domesticated state to which they have been brought by the labours and the confidence which they have in the advice of the missionaries, whose interest it is to preach peace.

1075. Had you an opportunity of seeing the moral and religious influence of the missionaries, as exercised upon any given location of the natives?—Undoubtedly the influence of the missionaries, Thompson and Reed, on the location of the Kat River, was very beneficial; and at most of the missionary establishments which I have visited, advantages appeared to be derived from both example and precept.

1076. Were you called upon to write a letter to Government upon the subject of the settlement of the Kat River?—Several.

1077. Have you copies of all those?—Of some I have.

1078. Give us a description of what proceedings took place in the establishment of the Kat River, the objects in view, and the results that ensued?—I will furnish you the documents upon that subject, which I sent to Mr. Stanley when I arrived in this country.

1079. Will they describe the whole proceedings on the Kat River?—Not particularly, they only give an outline of it.

1080. Are you prepared to enter into a statement of what you conceive would be the most just and effectual policy to be adopted with regard to the native tribes, in order to ensure tranquillity in the colony, in order to promote commerce, and in order to extend the blessings of civilization and Christianity to the native tribes? —I can only state the plan which I had in view myself, and which I think, if adopted, would make the frontier secure, and that security, I think, is the keystone to all those objects which you there mention.

1081. We should be glad to have that statement?—I have before said that unless the Caffres can be allowed to remain in the undisturbed possession of their property, and unless they can be secure against the attacks from parties from the colony, it is impossible they can live at peace; and unless they can so live at peace, there is no hope of their being civilized. In order to prevent the necessity of such inroads, and also to give at the same time full protection to the colonists, I wished to adopt a system, the principles of which are exemplified in the Hottentot location; for instance, at the time when those locations were almost fully established, under certain regulations, with respect to the performance of military duties on the part of those men who were capable of bearing arms according to the system of law already in force in the colony relating to Burger service, one officer with a small detachment of regular troops, merely as a point of rendezvous or rallying point in such a location, and that officer having the right to call out the disposable force under certain regulations, would, I think, effectually secure that part of the frontier, provided the people in that location were bound to take care of their property, and provided, if they neglected to do so, no measures should be adopted against the natives for their indemnification. Now such another establishment

blishment at the place where Sir R. Donkin had established Fredericksburgh, and as many more between that and Kat River establishment as the country and its localities were capable of maintaining, I should think would then have perfectly prevented any great inroad of the Caffres, and petty depredations would be rendered extremely difficult, and when committed might be immediately traced. We might come to an understanding with the chiefs that compensation might be obtained, and the aggressors even brought to punishment without, upon every occasion, using military violence, and throwing the whole country into a state of ferment. The strong force which the natives would see at our immediate disposal would act as a preventive, and its existence would render its display seldom necessary. Upon the same principle I would have dealt with the Griquas on the northern frontier, and instead of their having a neighbour from whom we might constantly apprehend attacks, it has now been shown that those people were in a fit state to be dealt with in the same manner as the Hottentots on the Kat River had been. It will be seen that the grand point I have in view is, that protection should be granted to both the colonists and to the neighbouring tribes; justice to all; and under no circumstances whatever a man should have it in his power to become as it were the avenger of his own wrong, and to be entitled to obtain from the natives what he may have lost, or believe he has lost, or says he has lost. I would observe here that the Caffres on the coast under the chief Pato, had conducted themselves in such a manner as fully to justify their meeting with every encouragement, and being incorporated into the colony, provided they submitted to our rules and regulations under certain modifications, and thus constitute a beneficial ally instead of, on all occasions of danger, being liable to be looked upon with suspicion and dread. These are the leading features of my plan; but in my statement which I delivered in to the Government, and to which I have already referred the Committee, I have entered more particularly into detail. One of the effects it would lead to is, that you would be able to reduce the military required upon the frontier by the above compact communities, as you would only require military posts here and there, with an officer wisely selected, of which there are many on the frontier who might be intrusted.

1082. How many years have you served the Government at the colony?—From about October 1808, till the close of 1833, when my situation was abolished; I was then in this country.

1083. Have you in general been on good terms with the Government and the superior officers in the colony officially?—Certainly.

1084. Have you any official communications from any of them, speaking of the way in which you have conducted yourself?—Decidedly; and since the question has been put to me, that there are at this moment in this city, I believe, no less than four Governors under whom I served. Sir Rufane Donkin is a member of this Committee, and expressed his sentiments with respect to me at the opening of my evidence; and I beg it as an especial favour now, since it has come to this, that the Committee may please to call upon him, particularly, to state his sentiments. There is the Earl of Caledon, who does not only know me, but knows the services of my father who lost his life in the service of the British Government, after serving that colony 25 years. There is also Lord Howden, I can show official documents as to his sentiments with respect to my services and character. I served a long time under Colonel Graham, I believe I have documents from him to show how I conducted myself; then followed Lord Charles Somerset, with whom I had not always the good fortune of being on good terms, but I believe I have documents from him to show what his sentiments were; then followed General Bourke, and I am disposed to think I have some papers from him to show how I stood; then comes Sir Lowry Cole, who officially to the last moment expressed warmly his sense of approbation of my character and conduct. I have during the greatest part of my official career held the most important offices under the Government, for about 12 years a station with the most extensive powers; every man under such circumstances must have a number of enemies, it is impossible to avoid it, and I dare say I have my share; many no doubt would be most ready to come forward if the slightest charge can be made, but with every respect for the Committee, I must only say that I defy them. I have conscientiously discharged my duty, with many errors no doubt, and when I found I could do so no longer, I withdrew myself from the service, rather than be an impediment to it; if I have given displeasure to my superiors, by expressing my sentiments, and stating what I believed to be right or wrong, I beg to say that it did not proceed from any feeling of disrespect,

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but upon the principle, that I always considered myself the servant of the public, but a slave to no man.

1085. Did you resign your situation of Commissioner-General of the frontier because you were expected to carry into execution measures of which you disapproved, and which you thought inexpedient?—I made the representation which I did to the Secretary of State, because I found that the predicament in which I was placed, by the Colonial Government not employing me in the manner directed by the Home Government, disabled me from carrying into effect the plans which I had in view for the safety of the frontier, and the prosperity of the colony.

1086. In those plans did you contemplate a more lenient system towards the natives than had hitherto been observed?—I contemplated the unqualified abolition of the system of the reprisal of Caffre cattle, except where it was done upon principles founded upon treaties between the Colonial Government and the chiefs—that necessarily is a more lenient measure; but I never contemplated such lenity as would leave His Majesty's subjects on the frontier without protection. I want justice and security for all parties.

1087. On Wednesday last, in alluding to the transaction in which Erasmus was concerned, I think you stated that the farmers had behaved very ill; whom do you mean to designate by the farmers?—Those who shot the people.

1088. What nation did they belong to?—They were the Burgher force, under an officer of the name of Erasmus.

1089. Were they all Dutchmen?—All Dutchmen; they might have had an individual Englishman amongst them.

1090. In the course of your evidence, when you used the word "settlers" in an unqualified manner, did you mean English settlers or Dutch settlers, or Dutch and English settlers?—The settlers generally mean Englishmen, they go under that name in common conversation.

1091. And by farmers you mean Dutch?—I generally mean Dutch, but they are more commonly called Boors.

1092. Did any Englishmen ever serve on the commando?—Very often.

1093. What class of Englishmen?—I believe the settlers, English settlers, living on the Albany district, are liable to be called on as well as Dutch Boors.

1094. Were they so in fact?—Often.

1095. Do you know whether recently an ordinance has been repeated, which was first issued some 20 or 30 years ago, I believe, authorizing any field cornet or deputy field cornet, if he thinks fit, to call out a commando?—I saw it in the papers after I got into this country.

1096. You have heard of the late incursion of the Caffres into the colony?—I have seen it in the public papers.

1097. Was it a matter of surprise to you that the Caffres should have made this invasion into the British territory, and that a system of war should now prevail there?—If the Committee will read with attention my statement given in to the Secretary of State, they will see that (though I admit I did not expect it to be so extensive and bloody so soon,) I expected most serious calamities to result from the plan which we were then adopting.

1098. Before the invasion took place you represented that it would ensue; and do you go further, and now predict that if we continue that system of reprisal on the cattle of the natives, that we must look to nothing else but a system of bloodshed and extermination?—Certainly; these people, if you take their cattle, must plunder; and you will go with your boundary from river to river, and take one slice of Africa after another, and there will be no end of it till some measure be adopted, by the means of which these people can remain quiet and at peace.

[*The following Documents were handed in.*]

Sir, London, January 16, 1834.

I HAVE had the honour to receive your communications, by letters addressed to me by Mr. Hay, on the 11th ult. and 7th inst., relative to the abolition of the office of Commissioner-general at the Cape of Good Hope.

With reference to that part of those letters by which I am informed that you will be prepared to recommend me as one of the official members of the Legislative Council, if it be my intention to return to the said colony, I beg leave to assure you that you could not have afforded a more convincing proof of the absence of all doubt of my "active and conscientious discharge of my duty," as you are pleased to term it, and that I consider that testimony the most valuable reward which you had it in your power to bestow.

As to the question of my return to the Cape, I have respectfully to observe, that I consider it an imperious duty, as it has always been my most anxious wish and the height of my ambition,

ambition, to avail myself of every opportunity to be of use to my countrymen, and to continue as long as I am able to devote my exertions to the land of my birth, in which my father and myself have already served half a century, to the entire satisfaction of our superiors and the public, for as far as I know; and therefore I had determined from the beginning to go back whenever the Government should have it in its power to place me in a position in which I could be efficiently employed. Capt. *Stockenstrom.* 21 August 1835.

I declined continuing in an office which by local unauthorized arrangements had been diverted from the important objects of the supreme Government, and transformed into a useless sinecure. In this decision I followed the dictates of my duty towards the Government, the colony and myself; and the same principles will compel me again to serve, when I can do so with credit to my employers and benefit to those who are burthened with my salary.

I am aware of the disadvantage under which I must labour in this country, as a stranger, unknown to you, without friends, interest or patronage; but I know also, that these difficulties are abundantly counterbalanced by that strict justice which every colonist, of whatever class or connexion, has an indispensable right to expect at your hands, and which hitherto no one has expected in vain; that justice which, whilst it would render it presumptuous in me to hope that the superior claim of others would be set aside to make place for myself, affords an equally safe guarantee that none but superior claims will be allowed to supersede mine, and that those native colonists who devote themselves with honesty and assiduity to the public service of their country will not see their best efforts discouraged, and all their energies paralysed, in finding powerful influence indispensable to success in that service.

With these feelings and with this entire confidence, I take leave of the office of commissioner, and will be quite willing to enter upon that to which you propose to recommend me, trusting (as from the nature of the letter I presume I may do) that my attendance in Council will not be so immediately necessary as to preclude the possibility of my accomplishing some objects which I have in view in Europe, and in return for this mark of confidence, I can only promise that if I shall be able to take my seat at the Council Board, my duty shall to the best of my ability be done conscientiously and independently.

The amount of the retired allowance which has been granted to me I consider (uncontrasted with others) extremely satisfactory, and am certain that it will be hailed by the Cape colonists as a most consolatory proof, that whilst unfortunately they are still debarred from all participation in the management of their public affairs, you, to whose acknowledged wisdom they must trust, are so well aware of the depressed state of the colonial finances, and of the absolute necessity of reducing the expenditure to the lowest possible standard. And on this subject, I have only humbly to pray that you may be pleased to authorize the colonial agent to pay said allowance in this country during my stay in Europe.

Being now obliged to leave this country to join my family, there remains for me, in conclusion, to add, that I have not been inattentive to certain publications which have appeared with reference to the frontier affairs at the Cape of Good Hope, and have been candidly warned of projected representations to yourself on the subject, in which it is not unlikely some of my measures may be called in question. As, therefore, the conclusion you may come to in my absence, where there will be no one on the spot to defend me, may be of importance to my character, whether I ever reappear on any official theatre or not, I have deemed it safe to draw up the annexed Memoir (supported by certain copies of documents, which I beg may remain deposited in your department, to be appealed to in case of need, as I trust it will, in the first place, clearly elucidate the line of policy which I adopted secondly, prove that I could not, under existing circumstances, have done justice to the post which I occupied; and finally, that I have no cause to shrink from any scrutiny which you may at any time see fit to enter into, so that I shall be ready to afford any further explanation which may be required, having appointed as my agents Messrs. Borradailes, Sons & Baintrill, 34, Fenchurch-street, who will forward to me any communication you may have to favour me with on that or any other subject.

I have the honour to be, &c.

*A. Stockenstrom.*

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MEMOIR drawn up by the COMMISSIONER-GENERAL of the *Cape of Good Hope,* in reply to certain Strictures upon the frontier Policy of said Colony, contained in "Barrister's Humane Policy," "Bruce's Letters," "Kay's Researches," and some reviews on those publications.

MY attention having been specially called to the above productions by the various animadversions which have been passed in my presence on the system in question, I owe it in justice to myself to place upon record my sentiments, as well as the share I have had in the transactions alluded to, in order to be prepared for any of those attacks of which threats have been held out.

All my experience on the subject of commandoes by the colonial forces against the native bordering tribes, has confirmed me in the position which I have always maintained, that there is as much danger in the one extreme as in the other. It is impossible to deny that the oppressions of the European colonists and their descendants, is the cause of the degradation of most of the natives, and the hostile feeling existing between the colony and its black neighbours. The conviction of this fact alone, is sufficient to induce the Government to make those amends which are still within its power, by protecting those natives against farther persecution, and exerting every possible means to improve their condition and civilize them: but I am far from thinking that these desiderata can be ob-

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tained by "turning the tables," as it has been called, and allowing those tribes to murder and plunder with impunity, and by preventing the colonists from protecting their lives and property against those outrages. Such a system could only end in the extermination of the weaker party, and a mistaken humanity would be found the height of cruelty at last. Let the sincere philanthropist but for a moment contemplate what would be the result of a Government being altogether passive under the excesses which savages and barbarians are capable of perpetrating, not only against those by whose ancestors they feel themselves to have been wronged, and against whom they harbour a feeling of implacable revenge, but against their own fellow-sufferers, who, with themselves, must in the end, if not checked, become the sacrifices of their own indiscriminate and mutual massacres. I have upon this principle always considered it an imperious duty to root out any gang of robbers, murderers and marauders as soon as they were discovered, before the evil should spread to such an extent as to involve the lives of hundreds, and every order which I ever issued will be found to be regulated accordingly. For instance, if the band who attacked the field cornet Steenkamp, last year, had at once been crushed, it never could have gained sufficient strength and courage to attempt the massacre in the Winterveld, in which it was so lamentably successful a few months later. All parties, the humane as well as the religious, now join the community at large in wishing for the destruction of these desperadoes, who it must be expected will perpetrate many more deeds of blood.

I quote this one instance merely to show the evils which, by not wisely discriminating between the bad and the good, we may bring upon the very classes we seek to protect, since the peaceable natives beyond the frontier are themselves in much greater danger of those marauders than the colony, as they have either to join in those sanguinary depredations, or fall an easy sacrifice.

I have also seen several attacks made on the Cape Government for the expulsion of the Caffres, under the chief Macomo, from the ceded territory, in 1829. If any fault was committed on this head, it was the permitting the Caffres to return to that territory after they were expelled in 1819, (to whatever criticism the treaties of which that expulsion was the consequence may be open,) and I maintain that the Government could not, without displaying the greatest possible weakness, have allowed those Caffres to remain within the colonial territory after their wanton attack on the Tambockies, pursuing them into the colony, and there carrying on murder and destruction, to the consternation of the King's subjects, who must have forsaken the country if they were to be liable to repetitions of similar hostile intrusions. The complaints of the depredations of these Caffres were also of such a nature, and so well authenticated, that to allow them to go unpunished would have led to the most disastrous results. They were suffered to remain in said territory conditionally; their peaceable conduct was the positive *sine qua non*; to have allowed them to trample this proviso under foot, would to them have appeared imbecility, and led them on from one aggression to another. I therefore fully approved of the removal of Macomo and his people; and, upon the same principle, recommended the direct opposite course towards the Caffers in another part of the ceded territory who had complied with their part of the arrangement, conceiving that the land ought to be ceded to them altogether if they have, as they say, a promise to that effect, provided they consent to become amenable to the laws of the colony under certain modifications, as it would not be politic to allow that land to revert to Caffraria, particularly now when it affords such an excellent opportunity for making the experiment of incorporating with ourselves its present tenants with their own consent.

I have no hesitation in saying that I would not scruple to recommend the expulsion from the ceded territory of every kraal of Caffres which could be clearly proved guilty as a body of carrying on depredations, either against the colony or others of their neighbours; and I am equally positive in the opinion, that the murders perpetrated by Macomo's people on the Baveans River, subsequent to his said expulsion, ought to have been visited with the severest punishment, if even it had involved the destruction of his whole kraal, or its expulsion from Caffreland itself. Whilst the voice of humanity is justly raised in favour of the long and cruelly oppressed blacks, that of justice and prudence reminds us that the whites also have a claim to protection; that they also have lives, property and rights to lose; and that the wanton abandonment of these to the ferocity of a few desperate gangs among the native tribes will not benefit and civilize their brethren in the aggregate, but must generate that irritation and despair which ultimately no government can prevent from terminating in the most unrestrained indulgence of revenge.

Thus much for what appears to me to be the one extreme; but on the other hand, nothing can be more pernicious or more destructive to peace and civilization than the system of taking the cattle of the natives as a compensation for what is stolen or said to be stolen from the colonists, without due inquiry and the most incontestable proofs, and shooting those natives upon suspicion, or even without suspicion, merely because stolen cattle is traced or said (by some interested party) to be traced into their kraals. All the disturbances on the Caffre frontier of late years; all the acts of severity which consequently became necessary; the backward state of improvement of the Caffres, and the necessity of still maintaining a military force against them, can be traced to this prolific cause. If the seizure of the enormous mass of Caffre cattle by Colonel Brereton's commands, in 1818, had not taken place, that of Colonel Wilshire, in 1819, would not have been necessary, and no possible ground of justification for the expulsion of the Caffres from the ceded territory could have existed. And thus it has been ever since. So sure as we take Caffre cattle, except when you force them to restore what they have taken, as in the case of the Tambockia cattle, plundered by Macomo, and the like, upon principles agreed on between the Government and the Caffre chiefs, so sure must those from whom they are taken plunder or starve.

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This system of reprisal, therefore, I have always opposed with the utmost determination, as will be seen from my letter to the Colonial Government, and I never was more confirmed in this view of the matter than by a commando which I was induced to sanction in June 1830, upon the representation of the military commandant and the frontier Boors. This officer had been led to believe the frontier in a most alarming state, and the number of cattle taken from the colony enormous. (*Vide* Correspondence, N° 1 to 11.)

I accompanied one of the divisions of this commando, after having strictly forbid the Boors taking any Caffre cattle whatever, unless the Caffres should violently resist their taking such cattle as could be sworn to as colonial property. A division of Boors took a considerable number of colonial and Caffre cattle mixed, pretending that they had had a desperate fight for it, in which the Caffre chief Geco and several of his men were killed; but I subsequently found out that these unfortunate men were murdered in cold blood and unarmed, for which atrocious act there could have been no reason except to find a plea for seizing the Caffre cattle, contrary to my orders. I therefore feel convinced that the commandant had been misinformed as to the state of the frontier, and that most of the reports about the numerous depredations and desperate intentions of the Caffres were utterly groundless,—just, as in 1829, when the colony was thrown into the utmost alarm, for which there was not the slightest foundation, though it nearly brought about a Caffre war.

Now I beg that it be clearly understood, that in here speaking of Boors, I allude to those who are immediately interested in the reprisal system; the mass of those colonists who understand its effects hold it in abomination; those, moreover, who live distant from the frontier, can derive no advantage from it; they know that when the Caffres are driven to desperation, and a war ensues, they may be called from their homes and business, at an enormous expense, for months, without a chance of remuneration. In fact, false alarms, in which the Cape frontier is so prolific, are advantageous to none but those who covet the possession of Caffre cattle, or expect more benefit from military coercion and the increase of the forces than from conciliation and justice. To the colony at large and the Caffres they are a source of endless vexation and severe losses; such as those of 1828, which the colony will have long occasion to remember. With the respectable classes, they form a subject of serious complaint.

In June 1831, I again reached the frontier, when the military commandant once more desired my consent to a Burger commando being assembled to enter Caffreland, together with the troops. I at once declined, as I considered the frontier in the most perfect state of tranquillity, and had not yet forgiven myself the sanctioning of the former year's expedition. The commandant, however, applied to the Governor direct, and obtained his Excellency's approval, which led to a controversy so fully explanatory of the views of all parties that I prefer annexing copies in full to any attempt at giving the substance. (*Vide* Correspondence, N° 12 to 26.)

There it will be found, that after both sides had been fully before the Governor, I was at last ordered to frame some plan of operation, in concert with the commandant. I was quite ready to do this. The unfortunate operations of the former year above referred to had proved my willingness to co-operate with this officer; but as I found not only that the basis of his suggestions was to continue the patrolling and reprisal system, in direct violation of the understanding entered into between the Governor and the Caffre chiefs, but also that he (the commandant) considered it indispensable to shoot the Caffres whenever a patrol headed by an officer carries the spoon of cattle distinctly into any kraal, I thought it but candid, to avoid future misunderstanding and delays, by clearly and categorically stating that I would not deviate from the principles laid down in my above-quoted letters to Government.

Now with respect to the seizing of Caffre cattle by way of reprisal in the manner complained of, I have said enough to show its injustice or ruinous consequences, and to justify my decided opposition thereto: and as for the other part of the plan, viz. the shooting of those into whose kraals cattle should be traced, I can only say that it exceeds all that even the least scrupulous of the Boors ever asked for as a regulation, and the Government has only to give its fiat to that proposal to bring about a regular war of extermination, and to be in possession of the whole of Caffreland as a matter of necessity, and an inevitable consequence, in a few years, for no man need go to Africa, or even out of London, to be convinced that then there is an end to all prospect of civilization at once. In ninety-nine cases out of a hundred the slaughter must fall on the innocent. It is well known that plunderers almost invariably drive the spoil through peaceable kraals, and often leave part thereof in such kraals to deceive the pursuers. They surely will not wait there to be shot! The wretch who takes a fancy to any flock of Caffre cattle, or, either from motives of revenge, or to excite the customary alarm and ferment, desires the destruction of a kraal, has only to lead the patrol upon some real or pretended traces, or need only himself secretly to drive cattle into such kraal, and then where is the hope for the victims of such an order, or what can prevent the Caffres from becoming what the Bushmen are, except that I feel confident few British officers could be found who would consent to act up to such instructions.

When Enno complained that his son was murdered in this identical way, and other Caffres were said to have been similarly sacrificed, we repelled the charge with indignation and horror; but here we have the very same act proposed to be adopted systematically! If I offended by saying that I would as soon sanction the massacre of the Governor and family if a cabbage had been stolen in Mr. Flech's grounds, and the thief traced through the Government gardens, I am sorry for it, but the cases are nevertheless exactly analogous. I therefore (though I would, as long as I had continued to hold any share in the management of frontier affairs, have persisted in putting down murderers and determined irreclaimable plunderers, however much I may thereby have exposed myself to the censure of very

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worthy though ill-informed mistaken men) resolved rather to quit my station than see the proposed system acted upon, much less sanction or act upon it myself.

This does not proceed from any desire to make a display of independence, or to lay claim to any refinement of philanthropy. I would thereby only make myself ridiculous; for my utter dependence of circumstances is too well known, and my whole official history, as well as this document, shows that I see no humanity in encouraging crime by the extreme of forbearance; but my remaining a spectator of such proceedings as I have just commented on, without power to check them, would cause the utmost confusion, as all co-operation on my part was, together with the peace and improvement of both sides of the frontier, placed out of the question, for I would certainly continue to denounce every seizure of Caffre cattle by patrols or individuals, or in any way except as above excepted, as a robbery and a breach of faith, and every case of a Caffre shot in the manner proposed as downright murder, and the Government would be unceasingly harassed by conflicting and clashing reports, orders and counter orders.

Having then stated the principles upon which I would consider myself justified to act, in conjunction with the commandant, these appear not to have been approved of; for notwithstanding his Excellency's sentiments, so strongly expressed in the military secretary's letter to the commandant, dated 12th August 1831, Caffre cattle continued to be taken; those unjustly taken were not restored; the inquiry which, from the concluding paragraph of the letter addressed to me by the Secretary to Government, dated 29th July 1831, I was led to expect, and which would have elicited many facts illustrative of the dangers of the system I had deprecated, did not (at least to my knowledge) take place. My promises of redress to the aggrieved, and threats of punishment to the offenders, remained equally without effect, and Caffres, as well as Colonists, saw clearly that my situation was altogether nominal, and naturally enough contemned my authority; so that, whatever doubt there may exist as to the wisdom or error of my line of policy, there can be none as to the entire uselessness, nay, detriment of my continued interference, and as the management and control of our frontier policy was the main object of the creation of the office of Commissioner-general, I have deemed it my duty, by letter of the 20th October last, to make such representations on the subject to His Majesty's Secretary of State, as will, no doubt, induce that minister to appoint some other person to take my place, if it be his pleasure that the situation shall remain upon its present footing.

Since writing the above, I have received a communication from Mr. Tray, acquainting me that the situation of Commissioner-general is to be abolished; and as it appears that no blame in the slightest degree attaches to myself, but that, on the contrary, the Secretary of State has not "any doubt of my active and conscientious discharge of my duty, and is prepared to recommend me as one of the unofficial members of the Legislative Council," I think I may safely abstain from any farther justification of my proceedings, having, as I trust, clearly shown, on the one hand, that if we should succeed in bringing about a system which would compel the colonists to be quite passive under the depredations of their neighbours, we would injure the very people we mean to benefit, by increasing the number of marauders, and rendering it necessary to exterminate them at least; and on the other hand, that as long as we continue to punish the innocent for the crimes of the guilty, and take the property of the peaceable, so long must they continue to plunder and murder us, and so long must we continue to shoot them.

Our system of military coercion has now been tried for a length of years without having brought about one single beneficial result; for even, according to the views of the military commandant, as hereunto annexed, the frontier is in a much less tranquil state than before any troops were stationed near it; and though the reprisal system has been in operation ever since 1817, robberies are said to be as numerous as ever, and both colonists and Caffres more poor. On that part of the borders where we have the most desperate enemies, there is not a single soldier, and we all know that 10,000 men could not effectually secure that immense open extent of country; we have therefore no remedy for the evil but strict justice, the exemplary punishment of our own as well as the foreign depredators: this alone will ensure peace, extend commerce, and bring about the inevitable consequence—civilization.

*A. Stockenstrom,*

London, 31 December 1833. Commissioner-general, Cape of Good Hope.

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(Copy.) No. 1.

Sir, Colonial Office, Cape Town, 30th April 1830.

By directions of his Excellency the Governor, I transmit for your information copies of two communications recently received from the commandant of the frontier, relative to the numerous acts of depredation lately committed by the Caffres.

His Excellency sees no reason at present to doubt the correctness of the information, on which Lieut.-colonel Somerset's statements are founded; but he is at the same time desirous that you should satisfy yourself of the real state of things, and report thereon, before he can authorize any strong measures against any of those chiefs, who, either by their own acts, or by the acts of their tribes, have taken a leading part in the depredations complained of.

If you shall feel satisfied that the country is really in the state represented by the commandant, his Excellency desires you will take an early opportunity of assembling as many of the chiefs as you can get together conveniently, and inform them that the Government can

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no longer suffer the continuance of such conduct on their parts, but will be compelled to fulfil the assurance which has already been made to them; namely, that those Caffres who are still permitted to remain within the limits of the ceded territory, shall be driven across those limits by force of arms. This threat would seem peculiarly applicable to Enno if not to Botman likewise, both of whom are apparently determined to maintain their ground in the ceded territory. With regard to the southern tribes, who are supposed to entertain better feelings towards the colonists, his Excellency would be sorry to involve them in distress on account of the misconduct of the more northern ones; but it seems but too probable that their continuing to hold a footing on this side of the Regskamma, would only tempt the others to avail themselves of the opportunity of committing fresh outrages, in the hope that the nearest tribes would always be held responsible for such acts. On this point his Excellency desires you will use your discretion in making your communication to the chiefs.

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Lieutenant-colonel Somerset will be apprised of this communication; and it is desirable that you should meet him on the subject before you take any measure for assembling the chiefs.

You will also apprise the commandant of whatever steps you may see fit to take, in consequence of this communication.

I have the honour to be, &c.

The Hon. A. Stockenstrom, Commissioner-general.

(signed) *John Bell*, Secy to Govt.

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No. 2.

(Copy enclosed in the former.)

Sir, Graham's Town, April 8th, 1830.

I HAVE the honour to state, for the information of the Commander-in-chief, that in consequence of the numerous depredations lately committed, I deemed it expedient to call the chiefs together who reside between Fort Wilshire and the sea; I therefore directed them to meet me on the 1st instant, at the head of the Guallaco (written Gwollen in the map) River.

I accordingly proceeded there on the 1st instant. The chiefs assembled were Enno, Ruge, Pato, Cobus, Congo and Kama. I complained to the chiefs of the numerous depredations that had lately been committed, and the absolute necessity of their using influence with their people to detect and punish depredations, as the only hope they could have of being allowed to occupy any part of the ground on this side the Regskamma. I pointed out to the chiefs as forcibly as I possibly could, the nature of the depredations that had lately been committed by their people; that they were plundering the industrious inhabitants of the country, who had but lately, from small beginnings, accumulated a small property in cattle; and notwithstanding all their exertions, they now found themselves in the space of a few hours deprived of all their hard earnings, by the very people whom the British Government had, by every means in its power, endeavoured to conciliate. I assured the Caffres that I was fully determined to protect the settlers and inhabitants, and that no future depredations should pass unnoticed or unpunished.

To this remonstrance the usual professions and promises were made by the chiefs, accompanied by a declaration of very sincere attachment to the British Government.

It is evident that the Caffres generally are perfectly indifferent as to the terms they may be on with the colony, although the chiefs themselves are fully sensible of the great advantage they derive by the intimate footing they are now upon with us. They have, however, but little influence with the people, or if they have any, they know that their interference in checking depredations materially deprives them of their popularity and influence, as the moment a chief is severe with his people on account of depredations on the colonists, his Caffres immediately join a chief of more liberal principles.

It is only by using the most exertive and vigilant means on our part, that we can ever hope to protect the inhabitants of the frontier from the continued depredations of the Caffres.

It was my intention to have proceeded into Caffreland on the 28th ultimo with a small detachment, to have endeavoured to recover two droves of cattle that had recently been carried off and traced into Pato's country. On the evening of the 28th, however, I received a message from Pato and Congo, sending me 16 head of Cawood's cattle. To enable me, therefore, to have a communication with Congo and Pato previous to taking any further measures, I postponed moving until the 1st instant.

After my conversation with the chiefs I proceeded, accompanied by all the chiefs, to the kraals, where the patrols had traced Mr. Palmer's cattle to.

The patrol, when in pursuit of the cattle, had fallen in with some Caffres, of Enno's, who had accompanied the patrol to a kraal belonging to some Caffres, of Pato's, in the Beka. I reached this kraal at daybreak on the 2d.

The old chief, Jonaga, acknowledged that the trace of the cattle had been brought to the top of the hill, above his kraals; but on inquiring from his people, they declared that they did not find out until the following morning that it was the spoon of their own cattle that had been shown to them.

As the patrol had clearly brought the spoon to this kraal, and as these people had neither followed it up, or even reported to Congo or Pato that any circumstance of the kind had occurred, I could form no other idea than that these people were the thieves.

The chiefs of my opinion also. I seized 20 head of cattle, the number lost by Palmer, and delivered as a remuneration to this man for the loss of time, and for the trouble he had been at in recovering them.

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I, however, clearly explained to the old Caffre, Toranga, that on his satisfying me as to where Palmer's cattle were, so that Pato and Congo could recover them, and produce them to me, that I would restore him his cattle again.

I have to report that on the 29th, when I was at Kaffer Drift, the loss of Mr. Rudwell's cattle was reported to me. I immediately despatched a small patrol on the trace of these cattle; the non-commissioned officer returned to me on the 3d instant with the cattle in his possession, having followed them up for three days and nights, coming up with them at length beyond the Regskamma, in the direction of the sea, and very nearly to the mouth of the Buffalo River, amongst the Caffres, under the chief called M'Googow. The chief, M'Googow, at whose kraal the party halted, gave two Caffres to assist in recovering these cattle, and expressed his regret at the circumstance.

Some time since 43 head of cattle were traced to Enno's kraals, (that had been stolen from J. Cawood,) when, in consequence of the rain, the trace could no longer be continued. Enno promised to inquire about them, and subsequently to send in 13 head; and said, M'Googow's Caffres had the remainder, as numerous messages had been sent about these cattle. I informed Enno, that unless these cattle were sent in on the 4th of this month, I would take my own measures for their recovery. Enno said he would not promise, but he would do all he could.

I have now to remark, that on proceeding to the Goalana on the 1st instant, I fell in with five large bodies of armed Caffres, from 80 to 100 in the whole, proceeding in the direction of the Fish River, I presume with the intention or pretence of hunting. I ordered these fellows back again, and on meeting the chiefs, I directed them to send immediately after them.

I felt it necessary to place a detachment without delay near the head of the Guollana: this country, from the sea to Fort Wilshire, is entirely exposed and unoccupied; and until the Caffres will confine themselves to their own limits, I shall continue a detachment in that line. I propose placing this party near the head of the Guolano. The great Caffre paths, from Trompeter's Drift, the Lower Drifts on the Fish River, and Kaffer Drift, all unite at this point, passing over the main ridge that intersects or runs across the ceded territory, between the Beka and the Fish Rivers. There is an abundant supply of water, and I consider it the most eligible point for a temporary post, from whence I shall keep constant patrols out.

The number of horses lately stolen by the Caffres from the farmers is quite unprecedented, numbers of these have been traced to the kraals of Foonah and Dhella, residing immediately beyond the Buffalo River, or the sources of the Goonoobe. I have had a good deal of conversation with the chief Kaga on this point lately. He has afforded me considerable information, and I have now with his assistance sent two confidential messengers to these kraals, to ascertain exactly where these horses are secreted. The provisional field cornets, J. Lomboord and David de Lange, state to me that from their division alone upwards of 30 horses have been stolen within these few weeks, all of which they have traced in the direction of the Regskamma, between the Chumee and Fort Wilshire; and I have now received a report from both these field cornets, complaining of the continued depredations of the Caffres.

I have the honour, &c.

Lieut.-col$^{l}$ Wade,
Military Secretary.

(signed) *H. Somerset,*
Lieut.-col. Commandant.

(True copy.)

(signed) *T. Wade,*
Mil$^{y}$ Sec$^{y}$ and Lieut.-col$^{l}$.

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No. 3.

(Copy enclosed as the former.)

Sir, Graham's Town, April 23, 1830.

I AM honoured with your letter of the 16th instant, marked private.

In reference to the horses in possession of the Caffres, I beg to state, that I have this moment received a communication from the Caffre chief Ruge, that he has again sent spies to observe these kraals, and has found three herds near the head of the Goonoobe. I beg also to state, that the people of the Hottentot captain Boosea and the Boslands, have observed and made a reconnoissance of a large kraal of horses among the mountains beyond the head of the Keiskamma, some distance behind Gaeka's old kraal.

I have directed Koosac and the field cornet Groope to proceed again, and make another reconnoissance of this kraal for my information.

In the event of the Commander-in-chief deciding upon any measure for the recovery of these horses, which it is really advisable should be done, I beg to observe that I propose proceeding along the back of the hills extending from Lieutenant Warden's post to the Buffalo River, as per enclosed sketch; by this I avoid going at all into Caffreland until I get opposite the kraals where the horses are, and thus descending on them at once without having to disturb other kraals.

I have traced Major Pigot's four horses to Enno's kraals, but I have not yet clearly ascertained if they went beyond them; but on Monday I proceed in that direction.

I am altogether dissatisfied with the border chiefs; it is but a few weeks ago that I had to drive Botman and Enno back to their line. Botman has again occupied his old position, from which I have again driven him out, and Enno is, I hear from my patrols, again in his old spot immediately above the Fish River. Seven horses were traced to Charlie's kraals, where the people dismounted and drank milk, and yet he knows nothing about them, although

although he promised to send after them, which he has never done, and with all this, they are grumbling and discontented. Capt. *Stockenstrom.*

I do not desire to recommend that they should be removed immediately, and deprived of the indulgence of the land. I will ride up in that direction again as soon as possible, and see the chiefs again. 21 August 1835.

I beg respectfully to urge that the recovery of the horses may not be given up by his Excellency. A large number of farmers, with their field cornets, have volunteered to accompany me, and it may be carried into execution without causing alarm where not necessary.

I shall continue to be very vigilant; the Caffres are very unsettled, and I see they are inclined to do mischief if they dared; but I will endeavour to trace every depredation as far as possible, and will insist upon immediate restitution.

The whole of Bookoo's Caffres and Toonah's people on Goonoobe, as also that of Llambe, down the Buffalo River, have always been active in their depredations towards the colony.

Major Pigot's horses were carried out of their stable by two Caffres, on the night of the 13th April.

I shall direct every exertion to be made to apprehend these people.

I have the honour, &c.

Lieut.-colonel Wade,
Military Secretary.

(signed) *H. Somerset,*
Lieut.-colonel Commandant.

(True copy.) (signed) *T. Wade,*
Military Secretary, Lieut.-colonel.

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(Copy.) No. 4.

Sir, Fort Beaufort, May 12, 1830.

On the receipt of your letter of the 30th ult. relative to the correspondence of the commandant of the frontier, I entered into a communication with that officer, and met him at this post yesterday. He has shown me a letter which he writes to the military secretary by this post, explaining that it is not his object to recommend the removal of any of the Caffres, who have been allowed by his Excellency the Governor to reside in the ceded territory, but that, on the contrary, he would conceive such a measure very impolitic.

The depredations complained of, as far as they are correctly stated, are committed by the Caffres living beyond the Chumia and the Regskamma. Enno has of late been of essential service in the recovery of stolen cattle; Botman is represented as dissatisfied; this I know him to be, because he is not allowed to live on the Barooka; but neither he nor any of the other chiefs have the slightest intentions of disturbing the frontier, knowing that they themselves must be the greatest sufferers. They know it to be their interest to check depredations, and therefore would do so; but the distress in Caffreland is beyond belief, and the plundering of that tribe, among themselves, surpasses by far any thing they do to the colony; at the same time every temptation is held out to them to carry off cattle. Colonel Somerset has just stated to me, that the country between this and the Gonappe is swarming with cattle without herds. David de Lange, whom he brought with him as his authority, confirms this, and says that he came here in pursuit of stolen cattle, and on the road passed several flocks without any body near them. This apathy and carelessness neutralizes all the efforts, both of the colonial authorities and the Caffre chiefs. The inhabitants now fully understand that the law does not forbid the use of fire-arms, in defence of their lives and property, when they cannot otherwise be protected; they have therefore no excuse for leaving their cattle unguarded, and depending upon military assistance after they are taken. Preventive measures alone can avail. Not near the number of cattle reported as stolen by Caffres are actually so stolen; and of what is stolen, the greatest proportion is lost by neglect. For this I see no remedy, except steadily persisting in the measure of, under no circumstance, taking from Caffreland any cattle but such as are actually lost, not following up any stolen cattle that cannot be proved to have been properly guarded, and not following up any that have been more than a day lost, or the time of the loss of which the loser does not know. I see more and more reason every day for adhering to those suggestions which I submitted to his Excellency in Graham's Town. As soon as there shall be good proof of any kraal persisting in plundering, a commando should suddenly be sent to punish that kraal severely, without disturbing the others. Lately the Commandant seemed well informed when there was a kraal in possession of a great number of stolen horses. It would have been desirable, if there had been some authority who could have sanctioned an unexpected attack upon that kraal. Great prudence would of course be necessary in judging of the proofs.

A patrol has this morning traced a drove of stolen cattle into one of Chale's kraals. That chief was here at the time and several days previous. If he be found concerned in that or any other robbery (upon good proof, not mere suspicion), his kraals might be driven out of the Mankazana, as punishment to him and an example to others.

I am so particular about proofs, because we run the risk of adding to the number of plunderers, if we happen to make innocent parties suffer.

In conclusion, I beg leave to observe that I see nothing in the state of the frontier that requires any extraordinary measures on the part of Government. On the 15th, the fixed number of men must be on the locations lately established; and if the Caffres then succeed in robbing such a force, it will be evident where the fault lies. I shall be for some days engaged higher up the Kat River, and will act upon your said letter, if necessary.

I have the honour, &c.

The Hon. the Secretary to Government. (signed) *A. Stockenstrom.*

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Capt. *Stockenstrom.*

21 August 1835.

(Copy.) No. 5.

Sir, Fort Beaufort, 16 May 1830.

I FEEL it necessary, in consequence of the continued depredations of the Caffres, to represent to you the necessity I feel exists of placing a post between Fort Beaufort and Fort Wilshire, but which I have not sufficient force to enable me to furnish from the military under my command.

Should you be able to make any arrangement to occupy the Omquello stream, either at Panguellos, Old Kraal, or lower down, by placing a few of the Hottentots there for the present, they might be of considerable service in intercepting cattle stolen from the colony. Since my communication with you on Friday last, I have received reports of more depredations, particularly from a farmer named Greeffe, who states that the Caffres carried off from his kraals 26 head of cattle on the 8th instant, although he had placed a sentry upon them until towards morning. These cattle were traced towards the Chumesford, but from the numbers of cattle passing, all farther trace of them has been lost.

The field cornet Nel (whom I placed with a party on the Umquella during my absence on the Chumia) reports his having fallen on the traces of four horses, which he believes to have been ridden by Caffres entering the colony as spies, as he continued on the traces until he found them again returning into Caffreland.

I found all the large droves of cattle driven off out of the Chumia, and very large bodies of armed Caffres assembled in all directions. In endeavouring to secure a drove of cattle to ascertain if any stolen cattle were amongst them, large bodies of Caffres rushed on the party I had detached. The troops were obliged to fire upon them for their own protection.

I have farther to mention that the field cornet of the Bastards, Christian Groepe, complains that he has several times traced cattle to Charley's kraals, and that he has received the greatest abuse from Charley and his people, with threats of being put to death if he attempted to pursue the spoon of the cattle.

This kind of feeling is so hostile, that I conceive Charley ought to forfeit all indulgence he may receive from the Government.

It is my belief that the Caffres of Charley, and all the Caffres, from the Chumi and along the Keiskamma, are at this moment most hostile to the colony, and I shall make every preparation my means may allow to act promptly upon any occasion of emergency.

I do not conceive that any patrol or party in search of cattle can safely venture among the Caffres I have alluded to (when on the trace of stolen cattle) with a less force than thirty men; and I should wish this to be understood, to prevent serious consequences.

The officers commanding posts have my orders to furnish every assistance to parties who may be on the spoon of cattle; but as the duties are now most frequent, I should wish the provisional field cornets to collect as many as fifteen or twenty men for these duties, and the posts may then afford farther aid.

Had field cornet De Lange returned up the Chumia when on the spoon of sixty-one head of cattle, without calling on me for assistance, I am convinced the consequences would have been serious to his party. The officer commanding the party who went with him reports the conduct of the Caffres to have been most daring and overbearing.

I am about to proceed to the Gonappe post, and from thence business compels me to go to Graham's Town; but I shall return at a moment's notice should any thing occur requiring my presence, of which Major Cox will not fail to apprize me.

I have the honour, &c.

The Hon. the Commissioner-general, Eastern Frontier. (signed) *H. Somerset,* Lieut.-colonel Commandant.

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(Copy.) No. 6.

Sir, East Beet River, May 19, 1830.

I HAVE the honour to acknowledge the receipt of your letter dated 16th instant, and in reply to acquaint you that I shall be able to provide you with thirty or forty men from the locations on the Kat River to be stationed during winter between Fort Beaufort and Fort Wilshire, and to be relieved every month or three weeks. I cannot however promise that they will all be mounted, as the distemper has carried off most of the horses of the Hottentots, and it will be desirable that a responsible officer be placed at their head, as I doubt whether it would be quite safe to leave the command of such a station to one of themselves.

I beg leave to add, that taking into consideration the conduct of the Caffres under the chief Chale, as represented by yourself, and the manner in which those on the Makazzana have harassed the locations, I have felt it my duty to recommend the removal of the kraals hitherto tolerated on the latter stream, in order at once to put a stop to the nuisance, and at the same time to show the Caffres the determination of Government to adhere with firmness to the terms laid down by his Excellency the Governor at his late interview with the chiefs.

If this measure be approved of, I propose placing 150 of the civil force at your disposal, including those to be left at the post above alluded to when you dispense with the rest, whilst I also place a strong party at the head of the Makazzana.

I have the honour, &c.

Commandant of Caffraria. (signed) *A. Stockenstrom.*

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(Copy.) No. 7.

Capt. *Stockenstrom.*

21 August 1835.

Sir, Kat River, May 17, 1830.

I HAVE the honour to enclose copy of a letter this moment received from the commandant of the frontier, relative to the conduct and disposition of the Caffres under the chief Chale.

As one of the advantages of the locations on this river, I shall be able easily to station a party of Hottentots on the spot pointed out by Lieutenant-colonel Somerset, finding that he considers himself authorized to provide them with rations, and will be able to place an officer in command of the party, as I do not consider it prudent to intrust that entirely to one of themselves. I have also to regret that the great mortality which has lately raged among the horses will not enable me to have the whole party mounted. I shall cause them to be relieved every three or four weeks, and continue to do so throughout the winter.

The strong manner, however, in which the commandant speaks of said Caffres, and the posture of defiance which they appear to have assumed when that officer last entered their kraals, added to the manner in which they have harassed the Hottentot locations, by depredations on their flocks and gardens (particularly those who have been hitherto tolerated on the Mankazana, under the threat of expulsion in case of the least provocation), induce me to recommend that this threat be forthwith carried into effect, and that 150 of the civil force (which I can now provide at a very short notice) be placed at the disposal of the commandant, in order to enable him to chastise exemplarily any attempt at resistance or hostile array, or to rush upon any kraal known to have been guilty of aggression against the colony, or in which stolen cattle is known to be harboured.

All this is entirely consistent with the suggestions I had the honour of submitting to his Excellency the Governor's consideration at Graham's Town; and still adhering to the principles therein laid down to their fullest extent, I must take the liberty to give my strongest advice (whatever may be the range of the commandant's operations) against any capture of Caffre cattle. It is necessary that the authority of the British Government be vindicated, and any attempt to set it at defiance visited with immediate punishment; but it would be the worst policy to encourage the carelessness of the colonists by indemnification for the consequences thereof. Depredations, committed mostly by paupers not permanently subject to any chief, are the sole cause of the constant ferment on the borders. These all the efforts of the troops and the Caffre chiefs cannot prevent; the farmers alone can guard against them; and Lieutenant-colonel Somerset's enclosed communication affords another instance of the manner in which this is done. Greeffe has a sentry on his kraals till near daylight, yet the Caffres find no difficulty in taking thirty-six head of cattle out of that kraal about daylight and keep possession, though the loser had the whole day before him for pursuit.

I beg leave to add, that if his Excellency should be pleased to adopt the above coercive measure, it would be desirable to have it carried into effect as soon after the full moon as possible.

The chief Macomo is here, praying to be allowed to settle, with his family only, any where within the colony, representing his distress to be the very utmost; doubting his sincerity, I have declined entering upon the question, assuring him at the same time that the conduct of the Caffres was likely to lose more of the country for them.

I have the honour, &c.

(signed) *A. Stockenstrom.*

The Hon. the Secretary to Government.

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(Copy.) No. 8.

Sir, East Beet River, June 9, 1830.

I HAVE the honour to acknowledge the receipt of your letter of the 28th ult.* relative to the intended operations against the plundering Caffres, and to acquaint you, that after the most ample discussion with the commandant of the frontier yesterday, I have ordered 100 men to assemble on the Kat River, on the 14th or 15th instant, having there about as many more at my disposal, which, together with the former, I shall place under the orders of said commandant, to assist in the execution of the projected measures, which that officer will submit through the military secretary.

I shall proceed to the Mankazana myself to-morrow, to afford such co-operation as shall be required.

I have the honour, &c

(signed) *A. Stockenstrom.*

* I regret that I have no copy of this letter by me; but it will be found fully to approve of the views contained in my foregoing letter, addressed to the Secretary to Government, dated May 17, 1830.

*A. Stockenstrom.*

The Hon. the Secretary to Government.

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(Copy.) No. 9.

Sir, Fort Wilshire, June 17, 1830.

ABOUT 250 of the Burger force (though only 150 had been ordered) were assembled on the Mankazana and Fort Beaufort, on the 14th and 15th instant, from the immediate frontier, without troubling the distant divisions. Col. Somerset and myself met on the 14th. The

Capt. *Stockenstrom.*

21 August 1835.

chief Macomo came to us, expressed his fears, and stated that whatever the Government should do with him he would not venture again to mix with the Caffres beyond the frontier, not considering himself safe there. I informed him that I was not authorized to admit him into the colony. I acquainted the Rev. Mr. Thompson with the intended operations, and the chief Tyali having been sent for, came to us at sunrise on the 15th, being much alarmed. I told him that the late conduct of himself and people had provoked the execution of the threat held out to him by his Excellency the Governor.

After much evasion he admitted that he knew where a great proportion of the cattle stolen from the colony had been driven to, and offered to accompany any force that might be sent, to show them the plundering kraals where the cattle could be found. The same offer having been made to Colonel Somerset on the part of Pato and his party, with respect to other independent plunderers, it was deemed expedient (as the force consisted principally of those who had been losers by Caffre depredations, and who came forward so readily, in the hope that they would now have an opportunity of searching for what they have so lost), to afford Tyali and the other chiefs this chance of proving their sincerity of their present friendly professions towards the colony. Colonel Somerset has therefore divided the force now at his disposal into three divisions, which are to surprise the plundering kraals, as will no doubt be detailed by himself through the military secretary. I hope the cattle may be found, and an example made of those who have kept the frontier in this state of disturbance so long. At any rate the Caffres generally will see with what little trouble and in how short a time a strong force can at present be brought against them, and the colonists will be convinced, not only of the anxiety of Government to protect and assist them, but also that nothing but their own watchfulness can effectually prevent the loss of their cattle, for if these be not now found in Caffreland, but sent the tribes beyond as I expect, they must see that preventive measures alone can insure to them property of that description.

It is superfluous to add that there is a great desire among the farmers to procure Caffre cattle in lieu of their own, if the latter be not found; but we must resist any attempt at such indemnification, and I have informed those concerned that in case of doubt I shall have an oath exacted as to the cattle to be claimed, being in reality colonial property, so that those possessing themselves of Caffre cattle will have both the perjury and the theft to answer for.

Botman has crossed the Regskamma and taken up his residence beyond; if he be found harbouring plunderers or stolen cattle, we shall prevent his return to the colonial side of the river, and in that case it will be desirable to occupy up to the right bank thereof, in the same manner as has been done between the Kat and the Gonappe.

I have the honour, &c.

The Hon. the Secretary to Government. (signed) *A. Stockenstrom.*

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(Copy.) No. 10.

Sir, Colonial Office, 25th June 1830.

I HAVE laid before the Governor your letters of the 14th and 17th instant, and have the honour to convey to you his Excellency's approval of the measures detailed in the latter; but in case it should be necessary to prevent Botman's return to the country on the right bank of the Regskamma, his Excellency cannot sanction the occupation of that country in the same manner as that between the Kat and Konap being precluded therefiom, by an instruction received from His Majesty's Government subsequent to the formation of the new settlement on the former river. He desires, however, to be furnished with all such proof as you may be able to obtain against Botman, if he be really guilty of harbouring plunderers and stolen cattle, knowing them to be such.

I have already informed you, by letter of the 18th instant, of his Excellency's wish that you will postpone your journey to Cole Berg for a short time.

I have the honour, &c.

(signed) *John Bell,*

The Hon. the Commissioner-general. Secy to Government.

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(Copy.) No. 11.

Sir, Fort Beaufort, June 23d, 1830.

As the military operations of the patrols which have just returned from Caffreland will be reported by the officer commanding the frontier, there only remains for me to acquaint you with the part which it became my duty to act.

It having been ascertained that the Caffre chiefs Sebeco, Geco, Magoogo and Jejane, were principally concerned in the depredations committed upon the colony, to surprise the kraals of those men became the principal object of the commandant. Magoogo was taken prisoner by the party under Captain Lowen, guided by the Caffre chief, Congo, but his cattle had been driven off and could not be overtaken. Jejane had removed farther east some time ago; Sebeco had also fled in that direction. Geco's kraals were surprised by the burgers under the provisional field-commandant Erasmus, and numbers of cattle taken from the colony (some being lately) were found therein. Mr. Erasmus reports, that when he had collected the cattle of the said kraals, and was proceeding with them to Fort Wilshire where the colonial cattle were to be selected, he was furiously attacked by the Caffres,

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led on by Geco in person, in a thick bush, the result of which was, that this chief and several of his people were killed. Capt. *Stockenstrom.*

Tyali accompanied the party under Captain Aitcheson, who has, however, informed the commandant that he received no assistance from this chief, but that on the contrary he (Captain Aitcheson) had every reason to believe that Tyali tried to mislead and deceive him throughout. 21 August 1835.

From every information I have been able to collect in Caffreland, I am convinced that the accusations against Geco, Magoogo, Jejane and Sebeco, were well founded, and the punishment of the former was justly merited; great quantities of Caffre cattle were necessarily brought with those recognized by the colonists as stolen, and sent out to Fort Wilshire, principally the property of Geco, but some claimed by Tyali. This man at first expressed himself very much displeased with the fate of Geco, whose cause he espoused, and the cattle taken from whom he claimed as his due; but on being asked how under these circumstances so many of the colonial cattle were in these kraals, he replied that he had only now found out the villany of Geco and his people, and would forthwith punish the latter, and deprive them of all they possess. I told him that it was not the intention of Government to let him profit by the depredations which he had at least connived at, if not encouraged, and that rather than leave Geco's cattle at his mercy, I should detain them; and as it was evident that he would possess himself of the same if they were allowed to recross the Regskamma, I had no alternative but to do as I said. The farmers were anxious that their deficiencies should be made up on the spot out of these cattle as far as they would go; this I objected to for reasons often repeated, and because it was impossible to make a fair distribution without the returns, which are to be found in Graham's Town only; but as it is an object to make examples of the kraals so clearly convicted of systematic plunder, and it would be very bad policy to enrich Tyali by such an acquisition, I ordered the cattle taken from Geco's kraals to be placed at the disposal of the Civil Commissioner of Albany and Somerset, upon the principles laid down in my letter to you of the 5th May 1829, and my suggestions to his Excellency the Governor, of September last.

I wish I could propose punishment of a different nature for Magoogo (who admits that the charges brought against his kraals are correct, and has no other excuse than that he cannot restrain his people), but under existing circumstances I could do no otherwise than cause him to be detained until his Excellency the Governor should decide on the subject, telling him at the same time that the cattle stolen by himself and his people, or an equivalent number, to be determined by Government, would be insisted on before his release.

The proceedings of the late expedition, I am sorry to say, seem the only ones likely to keep the Caffres in check.

The punishment of two notorious leaders of robbers may bring others as bad as themselves to reason, decide those who are wavering in favour of tranquillity, and confirm the majority of the chiefs in their present peaceable conduct; but I am not sanguine enough to predict a diminution in the loss of cattle by the farmers, which they alone can bring about, for at the very time the force was in the field, when it might be expected those living so near the frontier would be on their guard, the flocks were most of them as unprotected as if they were in the safest parts of the colony.

Enno, Ray, Macomo, Pato, and those under them remained perfectly quiet, and Lieutenant-colonel Somerset and myself used every argument to convince them of the benefit of such conduct, which was particularly evident when the patrols passed through their kraals without exciting the least disturbance or alarm, but showing mutual good-will and kindness.

From Mount Coke, I wrote to the Reverend Mr. Kay, the missionary residing in Kinsa's territory, requesting of him to explain to that chief the objects of the expedition, and to put him on his guard against those marauders of Magoogo's party, and some kraals connected with them between the Buffalo and the Rag.

To Tyali I communicated the highest displeasure of the Government, desired him forthwith to evacuate the Mankazana, which I told him would be cleared of Caffres by a patrol as soon as he shall have had reasonable time to remove his people and their property.

I have also deemed it expedient to order a party of twenty men to be left on the Kat River between Fort Beaufort and Fort Wilshire for a short time, to watch any movements of parties of Caffres attempting to enter the colony in that quarter.

I have the honour to be, &c.

The Hon. the Secretary to Government. (signed) *A. Stockenstrom.*

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(Copy.) No. 12.

Sir, Colonial Office, Cape Town, 1 July 1831.

On the other side is a copy of a letter received by me from Lieutenant-colonel Somerset, to whose proposal his Excellency the Governor has assented.

As there may be some delay in this letter reaching you, and it seems proper that no time should be lost in making the attempt at recovery, I have sent instructions to the Civil Commissioner to afford the required assistance, and to report his proceedings to you; his Excellency is not desirous that you should be disturbed in this matter unless you shall deem your presence necessary.

I have the honour, &c.

The Hon. the Commissioner-general, Kat River. (signed) *John Bell,* Secretary to Government.

Capt *Stockenstrom.*

21 August 1835.

No. 13.

(Copy enclosed in the former.)

Graham's Town, 24 June 1831.

Sir,

The Civil Commissioner of Albany having shown me a memorial of a farmer, named Prinslo, complaining of the loss of several horses and cattle, and praying for redress, I take the liberty to observe, for the information of his Excellency the Governor, that this farmer's case is only similar to a number of others, who have lately been plundered of their horses by the Caffres, in defiance of all my exertions to prevent it.

I have now, however, a Caffre prisoner, who was secured with horses he had stolen in his possession. This man has offered to me, on condition of his life being spared, to conduct a patrol to the place where a large proportion of these horses have been secreted. Captain Campbell is prepared to give the assistance of the field cornets, and farmers who have lately suffered these severe losses by the Caffres, to accompany a patrol to identify and assist in securing these horses. I have therefore written to the military secretary, stating the circumstances, and requesting the Commander-in-chief's orders, in order that this measure may be adopted as soon as possible, should it meet his Excellency's approbation.

I have, &c.

The Honourable the Secretary to Government.

(signed) *H. Somerset,*
Comm. of Caffraria.

(True copy.)

(signed) *J. Birch,*
Chief Clerk.

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No. 14.

Kat River, July 14, 1831.

Sir,

I have this moment received your letter of the 1st instant, relative to an authority granted by his Excellency the Governor direct, for the assembling of a force to enter Caffreland; and perceiving that his Excellency was under the impression that I was so far out of the way, that it was necessary, on this occasion, to dispense with so much of the 1st, 6th and 12th articles of his instructions for the Commissioner-general, as charges this officer with the necessary discretion, I beg leave to state, that I am here on the very spot where the operations are to commence, where I am best able to judge of the state of the country, and where a Burger force can be assembled with greater facility than in any other part of the country. Nor will his Excellency be disposed to consider the case one of pressing emergency, after he shall be acquainted that the Caffre who is to guide the expedition has been a prisoner for a considerable time, and that Prinslo's memorial, alluded to by Lieutenant colonel Somerset, was never forwarded to me, as explicitly directed by the 6th and 7th articles of said instructions.

I have the honour moreover to inform his Excellency, that Lieutenant-colonel Somerset spoke to me when I was at Graham's Town on or about the 10th of last month, proposing the expedition in question, to which I objected, considering it my duty to make the most minute inquiries before I should consent to any measure which could endanger the present tranquil state of the Caffre borders, which is such, that two men who accompanied me into Caffreland yesterday, did not think it necessary to arm themselves in the least. Such is the feeling at present; and the Caffre chiefs are in such awe, that Macomo and Chale have already sent out between 30 and 40 horses, and actually seized those of their own people to try to satisfy us. Yet the commando enters Caffreland next week. The authority under which it proceeds prevents my countermanding it, which I would otherwise do; but the 11th article of my instructions charges me with a duty, which his Excellency expects me to do conscientiously, and he will not be disappointed.

The Caffres have hundreds of horses as honestly acquired as we have any of ours; many from the colonists themselves. The Caffre prisoner, who has to save his life and regain his liberty by showing stolen horses, has only to show horses; (attempts have repeatedly been made to convince me that it is impolitic to allow the Caffres to have horses at all). Any number that may be found, though they may never have been west of the Regskamma, will find claimants in the colony; this we know from dire experience, and can be proved by incontrovertible testimony; all good inhabitants acquainted with our border warfare are horrified with the conviction. Two instances in point have just occurred, they elucidate my position so clearly, that they must fill even the worst enemies of the Caffres with compassion.

1. In the brigade major's return of the 3d June last, appears "36 cattle stolen from Gerrat Schessers, for which he (Schessers) got back 63." I at first believed this to be a mistake, but it is perfectly correct that Schessers said that he lost 36 (though field cornet Erasmus heard from Schessers' neighbour that there were only 15, but until we prove this, we will assume there were 36); that he not finding his own, got back 63 Caffre cattle taken from Botman's kraals, and that this chief to indemnify himself attacked a weaker kraal, but would attack the colony if he were strong enough. Schessers is one of those who accepted of a location between the Gonappe and the Kat Rivers, under the express condition that he should occupy it with no less than four serviceable men capable of bearing arms, two of whom were to herd the flocks, one to protect the family, and one to be ready for commando service. Now unless his cattle were taken by an overwhelming force, he lost them (if he did lose any) through his own neglect and breach of engagement, and his Excellency will at once perceive, that the taking of Botman's cattle was as decidedly plun-

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der as ever the Caffres were guilty of, the only difference is, that we being the stronger party can do by open violence what the Caffres must content themselves to do by stealth. Capt. *Stockenstrom.* 21 August 1835.

A farmer, named Botma, lately stole 24 oxen from his neighbour, drove them to the Kat River, and there sold them. If he had taken them from Macomo and driven them over my land to the Griaquas; if Macomo had followed the spoon and indemnified himself by taking from me double the number which he might have lost by his neglect, under the pretence that one of his oxen was worth two of mine, and that I might more conveniently catch the thief than himself, I should certainly be disposed not only to annihilate him and his coadjutors, but to carry fire and sword into the country, countenancing his proceedings, particularly if my family were to starve in consequence. If I had not the means thus to resent the outrage, necessity would soon compel me also to plunder my weaker fellow-subjects, and the system persevered in would, if our chiefs were as little able to oppose it as those of the Caffres, reduce us (within one generation) to the same state in which they are at present.

The second case in point is this: James Gordon also accepts of one of the locations on the above conditions; the Caffres take some cattle from him; he sends his brother-in-law, Stephanus de Bear, on the spoon, who declares most solemnly to Lieutenant Warden and provisional Field Cornet Groepa, that 25 head are lost, though the latter shows him the spoon of only 11. Mr. Warden, notwithstanding all De Bear's protestations and clamour, sends him back with only eleven or nine, of which De Bear only takes about half to Gordon, who immediately writes a letter to Mr. Warden, complaining bitterly of his having received only so few cattle back, whereas he had lost no less than 11. There is the assertion of the owner himself, and there are the traces counted, yet De Bear was ready to take all the oaths imaginable that there were 25 lost, for which (taking Schessers' case as a criterion) he could claim from the first Caffre kraal 43¾ head of Caffre cattle, thus gaining 300 per cent. by losing cattle.

It was a positive understanding with the Caffre chiefs and the settlers beyond the Gonappe, that no Caffre cattle should be taken for what we should lose; this preventive measure would insure care, caution and honest industry on our part, and security to the Caffres in the possession of their property; whereas the system pursued renders the whole arrangement so warmly approved of by Government useless, by giving to the bad a most powerful interest in sloth, false reports and perjury, and by harassing the good by an incessant warfare.

My representations in your office show, that I consider no punishment too severe for marauders and plunderers. If Macomo had been forced to surrender the perpetrators of the late murders within our boundary, or had himself become the victim of his refusal, I would have warmly supported the measure; but I shall be able to prove to the satisfaction of his Excellency the Governor, and His Majesty's Government, that the backward state of improvement of the border colonists, as well as of the Caffres, any necessity which may be found to exist for the least augmentation to the military force, or any difficulty in the way of a considerable reduction, is attributable altogether to the ferment we keep up among the Caffres, by depriving them of the means of subsistence.

I have the honour, &c.

The Honourable the Secretary to Government. (signed) *A. Stockenstrom.*

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(Copy.) No. 15.

Sir, Colonial Office, Cape Town, 29 July 1831.

I HAVE had the honour to receive, by yesterday's post, your letter of the 14th instant, which has been laid before his Excellency the Governor.

In regard to the intended expedition to Caffreland, you will perceive, from the copy of Lieut.-colonel Somerset's letter to me of the 24th June, which accompanied my letter to you of the 1st July, that his Excellency was not made aware of the fact that that officer had already communicated with you on or about the 10th of that month, on the subject of the expedition in question, and that you had objected to it. Had you reported that circumstance at the time, together with your grounds of objection, as he conceives it was your duty to have done, under the 11th article of your instructions, his Excellency would most certainly have refused his authority for the expedition. The allusion made by Colonel Somerset to Captain Campbell's "being prepared to give the assistance of the field cornets and farmers," tended to confirm his Excellency in the belief that the movement was necessary; and in a report of Captain Campbell's, dated 24th June, on a memorial from Prinslo, of the 16th May, the intended expedition was mentioned, without any objection on his part. On these grounds, his Excellency conceived that he would not have been warranted in refusing his authority for the execution of a measure which appeared to be of a pressing nature.

If, when on your return from the Klipplaat River, you found that the expedition, to which you had previously objected, was about to take place, and had ascertained that it had been authorized, under the impression that you were too far distant for previous reference for your opinion, and still retained your objections, you had protested against its proceeding into Caffreland, and withdrawn the Burger force from Colonel Somerset's command, his Excellency would have deemed you perfectly justifiable in having done so. He will not fail to communicate with that officer respecting his proceedings on this occasion.

Capt. *Stockenstrom.*

21 August 1835.

In regard to the cases of Schessers and Gordon, particularly the former, if the representations you have made be substantiated in such a manner as to enable his Excellency to act upon them, he will most certainly deprive those persons of their promised grants of land.

I have the honour to be, &c.
(signed) *John Bell,*
Secretary to Government.

The Hon. the Commissioner-general.

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(Copy.) No. 16.

Sir, Cradock, 13 August 1831.

I HAVE the honour to acknowledge the receipt of your letter of the 29th ultimo, relative to the authority lately granted by his Excellency the Governor to the Commandant of the Frontier, to send an armed party into Caffraria, from which letter it appears that his Excellency conceives that it was my duty to report to him the circumstance of Lieut.-colonel Somerset having proposed to me the expedition in question, and my having objected thereto. I bow to the implied censure, but beg leave to explain, that as the whole business ended with my stating my objections, I did not consider the matter of sufficient importance for farther notice. If Lieut.-colonel Somerset had told me that he considered himself responsible for more than the military arrangements of frontier defence, and that he would appeal to higher authority, I would have troubled his Excellency with my opinions in detail, and convinced the commandant that he had mistaken his province; but as the matter then stood, I am conscious that, if his Excellency were aware of the nature of the conference, he would conceive that any official representation of the same on my part, could only have been construed into a desire to show that there did exist differences between the commandant and myself.

I left Graham's Town under the impression that Lieut.-colonel Somerset had made up his mind, me answerable for any mistaken policy (which line of conduct would have been fully warranted by the nature of our respective situations), after he had evinced his zeal and readiness to act in his capacity; and I did not hear one syllable more on the subject, either from the commandant or the civil commissioner, who both knew that I was nearer the Caffres than either of them, until I was honoured with yours of the 1st ultimo. Under such circumstances, I hope his Excellency will excuse my surprise at the proceedings in question, being the same as his would have been if the application had gone direct to Downing-street, without the slightest notice or reference to himself.

His Excellency's statements as to my not protesting against the commando entering Caffreland, and my not withdrawing the Burger force after his sanction was granted, I likewise so highly respect, that I abstain from justifying the course I pursued; but as to substantiating any thing I have advanced respecting the cases of Schessers or Gordon, or any body or thing else, I humbly beg leave to refer to the result of the crisis to which matters have been brought.

I have the honour to be, &c.
(signed) *A. Stockenstrom.*

The Hon. the Secretary to Government.

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(Copy.) No. 17.

Sir, Colonial Office, Cape Town, 12th August 1831.

I AM directed by his Excellency the Governor to transmit, for your information, copy of a letter, addressed by the Commandant of Caffraria to the Military Secretary, dated the 5th instant, from which it would appear that the Caffres have committed numerous depredations during the last month; but as only one instance is stated, and no number of cattle stolen is given, it is out of his Excellency's power to judge of the propriety of resorting to any measures of the nature recommended by the commandant.

I also transmit copy of a letter of this date, addressed by the Military Secretary to Lieutenant-colonel Somerset, not alone for the purpose of making you fully aware of his Excellency's sentiments with regard to the late expedition into Caffraria, but to prove to you that he will not authorize any proceedings founded on the circumstances stated by the commandant on the 5th instant, until he shall have had the pleasure to receive your report and opinion thereon.

I have the honour, &c.
(signed) *John Bell,*
Secretary to Government.

The Hon. A. Stockenstrom,
Commissioner-general.

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No. 18.

(Copy enclosed in the former.)

Sir, Graham's Town, August 5, 1831.

I HAVE the honour to state, for the Commander-in-chief's information, that the Caffres have committed numerous depredations during the last month.

I have ordered out patrols of farmers (with the consent of the civil commissioner) and of the troops, to scour the country, and have exerted myself in every possible way to check the inroads of the Caffres.

A Hottentot belonging to the farmer John Van Boogen has been seized and taken off, together with the whole of this poor man's cattle (the same man whose Hottentot was murdered

murdered when his Excellency was on the frontier), and I have not yet been able to procure any intelligence of the Hottentot, or of any of the cattle represented as missing. Capt. *Stockenstrom.* 21 August 1835.

I last week saw several Caffres and their chiefs, and I sent messages to others, cautioning them to exert themselves to put a stop to these depredations.

Unless, however, a speedy change takes place, it will be necessary to resort to severe and coercive measures, or the farmers will be totally ruined. The population on the immediate border along the Reiskamma and Chumia Rivers is so dense, and there are such numerous herds of cattle, that it becomes almost impossible to trace a spoon beyond the first kraal, and thus it is the Caffres escape detection. Talking to the chiefs is in most cases like appealing to the winds, and they do not exert themselves in the least; but make ten thousand excuses for their people.

I shall see several of the chiefs in a few days, and shall report for his Excellency's information by next post, as matters now stand. We are at peace with the Caffres, but they are at open war with us in every way, except that the chiefs do not openly head their people.

I have, &c.

(signed) *H. Somerset,*
Lieut.-col. Comm. of Caffraria.

(A true Copy.)

(signed) *J. Wade,*
Mil. Sec. Lieut.-colonel.

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No. 19.

(Copy enclosed in the former.)

Military Secretary's Office, Cape Town,
August 12, 1831.

Sir,

With reference to your communication (No. 22) dated June 24, 1831, reporting recent Caffre depredations, &c. &c., I have it in command to transmit, for your information, the accompanying extract from a letter addressed by the Commissioner-general to the Chief Secretary to Government on the subject of the commando which his Excellency the Governor and Commander-in-chief was induced to authorize you to send into Caffreland, in consequence of the representations contained in that communication.

His Excellency desires me to express to you his surprise and regret that when you stated in your letter of the 24th June that you had communicated with Captain Campbell, who fully coincided with you as to the propriety of sending the patrol, &c. &c. &c. you should have omitted altogether to refer to the conversation which Captain Stockenstrom states he had with you on or about the 10th of that month on the same subject, and to the objections which he made to the measures you then proposed to pursue.

The opinion of Captain Campbell will at all times have due weight with his Excellency. But you must be well aware that on all subjects connected with the tranquillity of the frontier, and particularly as regards retaliation of Caffre depredations, it is of paramount importance to communicate with, and obtain in all possible cases the opinion of the Commissioner-general himself; and his Excellency feels that you cannot be ignorant of the very great value which his Excellency attaches to that opinion, or that if, on the occasion under consideration, Captain Stockenstrom's objections to the measures proposed by you had been communicated to his Excellency, the authority which was granted to send a commando into Caffreland would most certainly have been withheld.

His Excellency is very willing to impute this important omission on your part rather to inadvertence, than to any desire to withhold from his Excellency the fullest information which it was in your power to communicate to him; but his Excellency desires me to impress upon you in the strongest manner how much any proceeding of this nature must necessarily tend to diminish that confidence which he has hitherto placed in your official representations, as it most decidedly does, that cordiality and good understanding between the authorities on the frontier, the cultivation of which his Excellency has so frequently impressed on you as being essentially necessary to the welfare of the public service.

I have the honour, &c.

Lieut.-colonel Somerset, Comm. Caffraria.

(signed) *J. Wade,*
Mil. Secy, Lt-Coll.

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No. 20.

(Copy.)

Colonial Office, Cape Town,
19th August 1831.

Sir,

By directions of his Excellency the Governor, I have the honour to transmit to you the enclosed copies of communications addressed by the Commandant of Caffraria to the Military Secretary, under date the 12th instant, and to request you will take such measures, in conjunction with Lieutenant-colonel Somerset, as you and he may think proper for repressing the Caffres' inroads as therein represented.

I have the honour, &c.

The Hon. the Commissioner-general.

(signed) *John Bell,* Secy to Govt.

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apt. *Stockenstrom.*

21 August 1835.

No. 21.

(Copy enclosed in the former.)

Sir, Graham's Town, August 12, 1831.

I REQUEST to report for the Commander-in-chief's information, that the Hottentot herd belonging to John Van Boogen has been murdered by the Caffres, the body having been found cruelly mangled.

It appears that the Caffres put a biem round his neck and led him about three miles; they then appear to have thrown on the ground and to have dragged him by the neck for about 500 yards, and then to have beat out his brains with a kearia or club stick.

This unfortunate Hottentot was a mere youth of sixteen years of age, and the act has been altogether one of the most cruel and uncalled for nature.

I have, &c,

Lieutenant-colonel Wade, Military Secretary. (signed) *H. Somerset*, Lieut.-col. Comm.

(A true copy.)
(signed) *J. Wade*, Mil. Secy, Lt-coll.

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No. 22.

(Copy enclosed in the former.)

Sir, Graham's Town, August 12th, 1831.

I HAVE the honour to report, for the Commander-in-chief's information, that one of the patrols which followed on the spoon of J. Van Boogen's cattle, traced it to some kraals of Macomo's Caffres residing on the Chumia, near its junction with the Reiskamma.

In consequence of the numerous herds of Caffre cattle grazing down this stream, it became very difficult to carry out the spoon; a captain of Macomo's, however, turned out his people, and at length succeeded in carrying into the kraals of Sebecha's people (one of Botman's captains), and I am happy to say that the result has been that yesterday Sebecha sent out one Caffre prisoner, and a part of the stolen cattle, and he states himself to be making every exertion to secure the other Caffres who committed this outrage and murder. I have the Caffre prisoner in the cells at Fort Wilshire.

I have sent various messages to the several chiefs on the subject of this and all other depredations that have for some time been going on.

I have not yet been able to see Botman, as he reported himself sick and unable to come to me; and my time has been entirely occupied in riding about giving the necessary orders to the patrols.

I shall, however, immediately proceed to his kraals, and make him use every exertion to detect the murderers, and call upon him for restoration of the cattle stolen; at the same time I shall not fail to point out to him the impossibility of the Government allowing the present conduct of the Caffres to continue and pass unnoticed.

The whole of Botman's kraals are a nest of the greatest vagabonds in Caffreland, over whom he uses little or no control; and from their residing so immediately on our border, they have the readiest means of committing depredations without detection; and but for the exertion of Macomo's Caffres upon this occasion, considerable difficulty would have been occasioned in getting any clue to the perpetrators of this last murder.

The prisoner acknowledges having stolen the cattle, but is altogether silent as to the act of killing the Hottentot.

I trust by next mail being able to report having the remainder of the party in custody, and to forward a more full and detailed account of the circumstances.

I trust his Excellency will authorize me to call upon the chiefs to bring those parties to trial, and to cause summary justice to be executed upon them in presence of the troops and Caffres assembled for the purpose.

Should those depredations continue, (and the country is full of Caffres yet) it will be necessary that whenever a patrol headed by an officer distinctly carries the spoon of cattle into any kraal, that the Caffres should be fired upon; and unless this example is made, the Caffres will not leave their present daring conduct, the farmers will be ruined, and the whole country continue in a most unsettled state.

Some of the reports I have received, arising from Caffre depredations having reduced the families of the farmers to a state of utter destitution, are of a most heart-rending nature.

When at Koomami's kraal yesterday, the officer commanding there reported to me that between the hours of eleven and twelve the previous night one of the sentries heard cattle passing at a brisk rate; as they approached nearer, he distinctly saw four Caffres driving a herd of cattle; the sentry challenged, when the Caffres abandoned the cattle, and the cattle immediately dispersed themselves in all directions, and several of these were found the following morning by the farmer close to the post, but he could not ascertain to whom they belonged.

I have, &c.

(True copy.)
*J. Wade*, Mil. Sec.

(signed) *H. Somerset*,
Lieut.-col. Commandant.

(Copy.) No. 23. Capt. *Stockenstrom*

Sir, Kat River, August 31, 1831.

I HAVE the honour to acknowledge the receipt of your letters of the 12th and 19th instant, covering copies of correspondence between the Commandant of Caffraria and the Military Secretary, and in reply to assure his Excellency the Governor that I shall exert myself to the utmost to co-operate with the commandant towards the tranquility of the frontier, but the matter is of too great importance to the colony and the Government to withhold from his Excellency that I have the misfortune of differing altogether with that officer as to his views and proceedings with respect to the Caffres. The numerous depredations which have taken place since his Excellency's visit to the frontier are attributable to no other cause than the violation of that principle so positively laid down in his Excellency's conference with the Caffre chiefs, that no Caffre cattle would be allowed to be taken by parties in pursuit of cattle stolen or said to be stolen from the colony. Had this understanding been adhered to, the colonists would have found it their interest to be on their guard; the first attempts at plunder on the part of the Caffres would have proved abortive, and the mass of that nation would have been able to remain quiet; whereas the contrary system has held out the most irresistible temptation to indifferent characters to lose their property intentionally, to make false statements of depredations; peaceable kraals have been plundered to make good those real or pretended losses; the individuals thus plundered have become plunderers in their turn from necessity and starvation; they again brought others of their countrymen into the same scrape with themselves; the nation at large must become affected; its weakness only aggravates the irritation; murders follow; commandoes (ruinous to both parties) become unavoidable, and the tranquillity of either party is rendered impossible. All this can be prevented by simply making the colonists look after their flocks. The disgraceful neglect which takes place in this respect is well known, and proves that peace on the frontier would by many be considered a losing game. I shall prove this position by Lieutenant-colonel Somerset's own letters; the depredations are represented as "being numerous," the Caffres "most daring," the country "full of them," and "in a most unsettled state;" and "the reports of the destitution of the families of the farmers of a heart-rending nature." Yet in the midst of all this alarm, "the same man who had a Hottentot murdered when his Excellency was on the frontier" has the horrid cruelty to send "a mere youth of sixteen," alone, unarmed, to herd his flocks in the most dangerous tract at the very time, whilst patrols are in the field against the Caffres, and immediately after a commando had taken a number of horses from that people, when every body knows exasperation must have been at its height. Yet what do the Caffre chiefs do? they at once seize one of the murderers and deliver him into our hands, and are exerting themselves to gain possession of the other. The fact is, that so far from any alarm existing, the security and apathy on the frontier would be altogether inexplicable were it not known in what manner losses are repaired. I cannot better prove the mischief of our commandoes and patrols than by giving the history of one which took place last year.

21 August 1835.

You will remember, as it is recorded in your office, that upon the urgent representations of Lieutenant-colonel Somerset, I sanctioned an expedition into Caffreland about June or July 1830, with a view of recovering cattle stolen from the colony. The Boors were told that any man taking Caffre cattle would be severely punished, but the Caffres were threatened that if they offered violence to the commando, the cattle of the kraals so offending would be seized to indemnify the colonists for their losses. Lieutenant-colonel Somerset was of course obliged to divide his force into several divisions; the one under Provisional Field-commandant Erasmus came in contact with the late chief Zeco. Erasmus, on joining the main body, reported that he had been furiously attacked by Zeco and his people, and that this chief and several other Caffres had been killed in the rencontre. This was believed, and so reported to you. The Caffre cattle were disposed of as had been threatened, but it now transpires that Zeco and six of his men were murdered in cold blood, and another Caffre was severely wounded. These unfortunate men were told by the provisional field-commandant, that they might select their milch cows to leave at their kraals, and accompany the remainder to Fort Wilshire to ask their restitution from myself, provided they (the Caffres) would leave their arms behind; they did so, and were assisting the Boors in driving the cattle, when they were shot with nothing but their kiavies in their hands. There could be no other inducement for this brutal conduct but to have a plea for the confiscation of the Caffre cattle. I have not been able clearly to prove that Erasmus gave the orders to fire, but the confidence hitherto placed in him renders his false report the more unpardonable, and his dismissal I think a very necessary example.

I have also to refer to the expedition of last month, when Lieutenant-colonel Somerset proposed the measure to me at Graham's Town; my principal objection was, "the impossibility of preventing the colonists claiming Caffre property, and thereby bringing on the usual commotions." Lieutenant-colonel Somerset replied, "that it was exactly to prevent this that he wished those Boors to accompany the military who had lost horses, in order that only such horses as were actually taken from the colony, and no others, should be brought out, as otherwise he could accomplish his object with the troops alone." Yet every horse which was found was brought away, and the Caffres now complain, as I expected, that every one worth having, whether colonial property or not, has been claimed by the Boors. I had Macomo, Chale, Anta, and many more chiefs assembled in Caffreland on the 29th instant, to tell them that unless the remaining murderer of Van Boogen's Hottentot be given up, the kraal which shall be found to harbour him will be attacked and punished.

Capt. *Stockenstrom.*

21 August 1835.

Macomo said, that the promptitude with which the one was seized and delivered over to us must prove that the other will not escape if he can be found. The chiefs complained bitterly of the patrols; they were unanimous in tracing all the evils of the frontier to the seizure of the property of the Caffres. Chale said that one of his men had lately been held down over an ant-hill by one of the patrols and severely beaten, and that another was innocently shot: of the cattle about which I wrote you last post, 16 only have been returned to him. Several other complaints were made which cannot remain unnoticed. Schessers is also still in possession of the cattle so unjustly taken from Botman: it would be a miracle if, under such circumstances, this man's Caffres were any thing else than Lieutenant-colonel Somerset represents them, "a nest of the greatest vagabonds in Caffreland."

Of the patrols of farmers, reported in Lieutenant-colonel Somerset's letter to the military secretary, dated 5th instant, as having been ordered out, with the consent of the civil commissioner, I have heard nothing except through you, nor have I received any communication of the operations of their late commando. Why I only am left in ignorance of what is going on, if the country be really in the state represented, is extremely mysterious; as for the patrols, they are useless, and keep up only the appearance of alarm. The farmers ought to be left at home to guard their flocks and to prevent the plea of their cattle having been taken, and their herds murdered while they were on patrol; 432 men, capable of bearing arms, are located between the Kat and Gonappe Rivers only; half of these are bound to herd the flocks upon 108 locations, many of them within hail of each other; if from these men cattle can escape, patrols can be of little use; and to show how careless the present system has made them, I have only to state that 10 days ago the Hottentots in this neighbourhood intercepted 13 head of cattle taken from the Gonappe, and to this hour they are not claimed or followed up, so that the owner is most likely not aware that they are gone. Here among the people against whom the Caffres are said to be particularly exasperated, every thing is perfectly quiet, not a single complaint against Caffres heard; where then the danger exists I cannot understand.

On Lieutenant-colonel Somerset's suggestion of firing upon the Caffres of those kraals into which the patrol shall carry the spoor of stolen cattle, I shall not dwell, being too well satisfied of the impossibility of such a thing being ever sanctioned. The mere avowal of the intention would justify every outrage with which the Caffres could visit the colony.

I have the honour, &c.
(signed) *A. Stockenstrom.*

The Honourable the
Secretary to Government.

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(Copy.) No. 24.

Graham's Town, 2 September 1831.

Sir,

I HAVE the honour to forward for your information the copy of a letter addressed to me by the Military Secretary.

I have nothing to add to what is contained in the letters, of which copies have been forwarded to you, farther than that some cattle have been sent out by the chiefs to replace those lately stolen, which have been handed over to the Civil Commissioner of Albany and Somerset.

My opinion as to the mode to be adopted for the punishment of the guilty party, is fully expressed in my letter to the Military Secretary of the 12th ultimo. I shall be most happy to receive your opinion as to the steps to be taken on this head; and I beg also to add, that I am at all times prepared to enter most fully with you upon all matters connected with the eastern frontier, wherein you may be pleased to communicate with me.

I have the honour, &c.
(signed) *H. Somerset,*
Lieut.-col. Commandant of Caffraria.

The Hon. Commissioner-general,
Eastern Frontier.

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No. 25.

(Copy enclosed in the former.)

Military Secretary's Office, Cape Town,
18 August 1831.

Sir,

HAVING communicated to his Excellency the Commander-in-chief, your letters, Nos. 21 and 22, dated 12th instant, respecting the murder of the Hottentot servant of J. Van Boogens, and other Caffre enormities, I have it in command to desire you will communicate with Captain Stockenstrom, to whom copies of those letters have been forwarded on this subject; and his Excellency will approve of any measures being adopted, in the propriety of which you shall both concur.

I have the honour, &c.
(signed) *J. Wade,*
Military Secretary Lieut.-col.

Lieut.-col. Somerset,
Commandant of Caffraria.

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(Copy.) No. 26.

Fort Beaufort, 3 September 1831.

Sir,

I HAVE this moment had the honour to receive yours of yesterday, and under the impression that you have been provided with copies of my communications to the Secretary to Government,

Government, relative to the commando which lately entered Caffreland, I beg leave to refer you to the same, as to my views on the present state of the frontier; but as my letter to the same department, dated 31 ultimo, cannot yet have been communicated to you, as most likely it will be, I deem it expedient in the meantime to inform you, that among other matters it contains the complaints of the Caffre chiefs:— Capt. *Stockenstrom.* 21 August 1835.

1st. That Zeco, and those who perished with him last year, instead of having lost their lives in the manner reported to you and me, were treacherously murdered, with nothing but kienies in their hands.

2d. That the commando of July last took a number of horses belonging to the Caffres out of Caffreland.

3d. That lately a Caffre was shot innocently, and another held down over an ant-hill, and severely flogged by a patrol from the colony.

Whether both these acts were committed by one and the same patrol, and whether the patrol or patrols consisted of military or burgers, I have not hitherto ascertained.

In reply to the concluding paragraph of your letter, I beg leave to state that I have at all times been most anxious to co-operate with you, and will do all in my power still to do so, consistently with the line of policy laid down in my said letter to the Colonial Government.

I have the honour, &c.
*A. Stockenstrom.*

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Sir, Downing-street, 18th September 1834.

I AM directed by Mr. Secretary Spring Rice to transmit to you herewith a series of questions, referring to the relations of the colony of the Cape with the native tribes, and to which he requests that you will furnish answers, together with any further information which you may be enabled to supply.

I am instructed to add, that it is of essential importance, that in alluding to particular occurrences, you should state the specific time and place, and the names of the persons present or concerned.

I am, &c.
*R. W. Hay.*

Captain Stockenstrom.

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Sir, Stockholm, 5 November 1834.

A LETTER, addressed to me, by your directions, by Mr. Under Secretary Hay, dated 18th September last, reached my lodgings here on the 3d October, whilst I was in Russia, so that its receipt could not be immediately acknowledged.

In reply, I have the honour to observe, that whilst I most readily comply with your desire, in answering the questions which you have propounded, as accompanying said letter, I must beg of you to bear in mind, that in so doing I am thrown entirely on the resources of my memory, as I have here no documents of any kind to refer to.

When I left the Cape I provided myself with such papers as I considered requisite to justify with the Home Government my motives for declining to continue in the situation I held there, under the circumstances which I fully pointed out to your predecessor. Those papers were necessarily left behind in London, when I found that my official relations with that colony had ceased; to them, and perhaps to others still more remote, it may be indispensable to have access, in order to be very minute in the detail of circumstances and facts to which you allude, or matters connected with them. This reference I shall of course most willingly proceed to have, if required; yet I trust that I may be able to prevent that delay, trouble and expense which would be unavoidably connected therewith, by the accuracy to which I will try to adhere, and by the appeal which I find I will be able to make to communications from myself, which are already in your office, and in which some of the points upon which you question me have been anticipated.

Thus I beg leave to acquaint you, in reply to Question 1, that

I proceeded to the interior of the colony in October 1808, and became assistant clerk in the Landrost's office at Graaf Reinet. In 1809 I accompanied his Majesty's Commissioner, Lieutenant-colonel Collins, in his excursions beyond the frontier, to act as his interpreter. In the Landrost's office I continued, till in January 1811 I joined the Cape regiment as an ensign, and in the same year I proceeded with that corps to the interior. In June or July 1812, I was appointed Deputy Landrost, and in 1815, Landrost of Graeff Rennet. On 1st of January 1828 my appointment of Commissioner-general commenced, and on the 31st of December 1833 it was abolished. So that from October 1808 till the end of 1833 I have been officially connected with the affairs of the frontier in question, with the exception of a few months in 1811, during which I did duty with the Cape regiment at Wynberg.

Question 2.—In order to give an intelligible answer to this question, it is necessary to point out the position of the border tribes, and refer to the causes of our troubles with them. A volume might be written on this subject, which has often been handled by persons more competent to do it justice. It will however suffice for the present purpose to state, that the white colonists having, from the first commencement of the settlement, gradually encroached on the territory of the natives, whose ejectment (as is too well known) was accompanied with great injustice, cruelty and bloodshed, the most hostile feelings were entertained by the weaker party towards those whom they considered as their oppressors. The Aborigines who did not become domesticated (as it was called) like the Hottentots, seeing no chance of retaining or recovering their country, withdrew into the interior as the whites advanced, and being driven to depredations by the diminution of the game, which constituted their principal means of subsistence, and which gradually disappeared when more constantly hunted, and as the waters became permanently occupied by the new comers

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comers, they often made desperate attacks on the latter, and in their turn were guilty of great atrocities. Some of the rulers of the colony in those days were no doubt favourable to measures of conciliation, but the evil soon got beyond their power of control. In proportion as the pastoral population increased, more and more land was taken possession of, and more desperate and bloody became the deeds of revenge on both sides, until the extermination of the enemy appeared even to the Government the only safe alternative, at least it became its avowed object, as the encouragement given to the hostile expeditions, the rewards of the successful commanders of the same, and many documents still extant clearly demonstrate. The contest being beyond comparison unequal, the colonial limits widened with great rapidity. A thin white population soon spread even over the great chains of the Suven and Newveld mountains, whilst the hordes, who preferred a precarious and often starving independence to servitude, were forced into the deserts and fastnesses bordering on the frontier.

It will be at once perceived that I am here alluding to a period of the colonial history not long previous to the close of the last century, and that the Aborigines spoken of are the Bushmen and some tribes of Hottentots, for our relations with the Caffres and others are somewhat of a different nature, as I will show in the sequel. Thus the isolated position of most of the intruders afforded the strongest temptation to the savages occasionally to wreak their vengeance. The numerous herds of our peasantry grazing on the usurped lands proved too seductive a bait for the hungry fugitives, who saw the pasturage of their flocks (the game) thus occupied; but their partial success against individual families was generally dearly bought by the additional loss of life and land in the long run.

An attempt was made to check these enormities, and generally to control the population in these remote parts by the establishment of a seat of magistracy at Graaf Reinet: but the disturbances which soon followed, and the inability of the Government to restore order, as well as the rapid changes of Dutch and English dominion, caused the interior to be left in a great measure in a state of anarchy, and mutual depredation had full scope. In the meantime, whilst this was the course of events in the northern and north-eastern directions, the colonists of the eastern frontier being no more under restraint than their brethren in other parts, continued to migrate eastward as the Caffres did towards the west, with equal injustice and cruelty towards the original proprietors of the soil; and here let me observe, that a late writer on the Cape colony (Mr. T. Pringle) is decidedly mistaken, when in his African Sketches, page 415, he gives the impression that the conquests of the Caffres over the Hottentots were more merciful than those of the whites. It is but a poor comfort to us that we have not been more ferocious than Caffres, but that consolation cannot be denied us, and historical truth forbids the suppression of the fact. However, the several tribes of Hottentots having been dispossessed by their Christian and Pagan enemies, these two conquering parties found themselves in contact upon ground to which both had obtained a title by the same means, unjust violence; jealousies, of course, forthwith sprung up between the dividers of the spoil. We were unfortunately again the first aggressors, but the Caffres being a better organized, more warlike, and more numerous people than the Hottentots, did not so easily give way, and the Government having at last gained strength, and being able to cause its authority to be more respected throughout the colony, did interfere; and it is unquestionable that in 1819 and long previous, Caffreland was understood to reach to the left bank of the Great Fish River, as high up as Exhenham's Port, and to the Raga and Winterberg chain of mountains. The incorporation of the territory between the said river and the Keiskamma with the colony has been so recent and so well known, that it is superfluous here to enter into a detail thereof. This was an act of the Government, but further north the encroachment continued, in spite of the law, fixing the boundary, and I must at once admit, that on no side of the colony were the migrations more extensive than from the district then under my own superintendence. They were checked as much as possible up to the year 1817, and thereby much dissatisfaction was given. At this period a deputation of field cornets waited on the Governor, who happened to be at Graaf Reinet, and by representing the losses they sustained among their flocks, owing to the droughts and confined pasturage, obtained his Excellency's permission to graze those flocks on the vacant tracts beyond the frontier during such drought. When once these men were out of the colony, to make them come back was out of the question; permanent settlements were soon established as far as the banks of the Orange River. In 1822, with a view of bringing those emigrants under the influence of the laws of the colony, and putting a stop to further migrations of the kind, a new line of boundary was fixed, embracing all these permanent settlements, and strict orders were issued against this boundary being crossed by the colonists.

It must here be observed that we had thus brought ourselves into contact with new neighbours, with whom, as long as we remained at a distance, we had no other than a friendly intercourse. These were the Corannas and the Griquas, a great proportion of the latter being descendants of Europeans by Hottentot women. These tribes had at an early period possessed themselves of part of the Bushman country beyond the Orange River, had gained great strength, and as the majority of them are expert on horseback and in the use of the musquet, and as well mounted and armed as the generality of the colonists, they are as an enemy more formidable than either Caffres or Bushmen. The majority of these men are well disposed, anxious to live at peace, and ripe for any experiment to civilize them, though their strongest advocates cannot deny that their treatment of the Bushmen and other fellow-natives up to a late period, has not been better than our own in the worst times. Parties have, however, withdrawn themselves from this community, and have even very lately committed the most inhuman outrages, not only against some colonists, but also against the black tribes in the interior, many of whom by these aggressions, as well as by the wars

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which they have for some years been waging among themselves, have been plundered of every thing they possessed, and have either become servile among their oppressors or among other tribes in the colony, or have formed or joined gangs of freebooters.

Thus then at the eastern extremity of our frontier, we have the Caffres from the sea to the great chain of Caffre of Bushberg; beyond this there are some peaceable Tambookies; next follows the Corannas and Griquas, but all the country bordering on the colony out of Caffreland goes under the name of Bushman-land, and over it are scattered those kraals of Bushmen and other remnants of tribes above mentioned. The frontier is at least 800 miles in extent, along one-tenth of which (viz. as far as Caffreland extends) there are military posts established. The remaining nine-tenths of the distance were under the superintendence (until lately at least) of five magistrates, the nearest of whom was not resident within 70 miles of the frontier, and one much more than 200 miles distant therefrom. In these circumstances the field cornets were vested with the power, in cases of sudden irruptions or depredations, to collect a force, repel the attacks, and pursue the plunderers with a view of taking them prisoners and delivering them into the hands of justice, as well as recovering the property they may have carried off. It is needless to say, that with the mutual hereditary hatred and prejudices of the parties, as well as the wrongs mutually done, acts of the most bloody revenge were inseparable from these contentions, as the pursued party would not easily surrender, and the least resistance would be considered by an unscrupulous leader as a justification for proceeding to extremities, and too often the innocent suffer for the guilty. When these emergencies were not acted upon, a regular commando could be sent out, where I think the danger of mistakes still greater, as the real perpetrators would take care to be out of the way, and an excuse could easily be found for slaughtering all those who came in the way by provoking them to defend themselves. This is a system which has as a natural consequence grown out of the principle of colonization, which has prevailed in South Africa from its earliest history, and which has brought matters to such a pitch that it must puzzle the best disposed Government to know how to avoid extremes, either of which would be fatal to all parties concerned; but as you have set down a separate question on this point, it is superfluous to enter further into it here. It is still expedient to observe, that the only difference between our policy on the Caffre and Bushman frontiers is that on the former the necessity of leaving so much to the field cornets is superseded by the existence of the military posts, and that the Caffres having property to lose, this has operated with many as an additional stimulus to keep up our quarrels with them. Our dispute with the mass of the Griqua and Coranna tribes is one about territory, which you have likewise made a discussion of itself. To more inland tribes it is hardly necessary to allude, as the only expedition undertaken against them has brought such indelible disgrace upon us that any attempt to prevent a repetition may be safely considered supererogatory.

With reference to your 3d, 4th, 5th, 6th, 7th, 8th and 9th questions, I must take the liberty to call your special attention to a letter which I had the honour of addressing to your predecessor in the month of January last, in which, as well as in some statements transmitted therewith, I believe the subject alluded to in said questions have been fully discussed; yet, not wishing to shrink from the fullest investigation of the public transactions in which I have been concerned, I will try here to make such additional remarks as may serve to elucidate what may have been left obscure in said communication. Thus, I take questions 3d and 4th as inseparable; and I must, in answering the same, distinguish between, on the one hand the Caffres, Corannas and Griquas, who cannot be considered either as savages or bands of marauders, and on the other hand, the Bushmen and other scattered remnants of tribes who possess no property and live by hunting, by the roots of the field and by occasional plunder. With all these people our policy has been proved equally unsuccessful and injurious; but with the latter it appears to me that the same system will continue in operation until these unhappy beings exist no more (whatever laws may proclaim), unless some comprehensive plan be adopted with reference to all the bordering tribes by which protection can be given to these wanderers. An idea having taken root with all nations who surround them, that they cannot and ought not to have property, by none are they consequently allowed to have any thing; this insecurity makes them plunder each other; to keep flocks or cultivate the soil is with them out of the question; as soon as the game and wild herbs fail them they must plunder. Many, moreover, acquire the habit and disposition to live by plunder. Between these latter and those who are urged by want it is impossible to discriminate, nor could the plundered party be brought to draw the line. He says, that it is the law of nature that he may and shall protect his life and property; every law in opposition thereto will and must be disregarded; and where could magistrates be found to be present on all such occasions, and prevent the most cruel abuse of this right of self-defence? As for military protection, we have only to look at the map at once to see the futility of hoping to put a stop to depredations and retaliations over an extent of country, from the mouth of the Keiskamma to the coast of Namaqueland, by any troops ever likely to be spared from the Cape Service. And this topic leads us back to the eastern frontier, where we have had military for a number of years, and where our policy has been beyond comparison ruinous. Until 1817 we quarrelled with the Caffres about the possession of the Zuurveldt, and about some of them plundering us; but at that period the former question had long been set at rest, depredations were on the decrease, and by a good understanding with the chiefs these would have altogether soon been put a stop to when we committed an error, by which a wide road was opened, and the strongest temptation given for us to plunder them. The plan of capturing Caffre cattle, as a compensation for what would be plundered or said to be plundered by Caffres from the colony, was then adopted; the chance of enriching ourselves by the acquisition of Caffre cattle was thus added to the obstacles to

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peace then already existing; and to the obstinacy with which this system has been persevered in, the failure of all the attempts at conciliation and improvement, and the necessity of still keeping up a military force on the frontier may be attributed. The first year after the introduction of the plan we reaped a rich harvest of its fruits. A commando entered Caffreland upon a question totally unconnected with any loss of the colony, yet brought away about 30,000 cattle. The starving owners laid waste the Zuurveldt and other parts, murdered two valuable officers and a number of soldiers, attacked Graham's Town, and were beaten with great slaughter. The war of 1819 followed of course, and the seizure of the ceded territory was the result. In 1829 it was positively understood between the Governor of the colony and the Caffre chiefs, that no more Caffre cattle should be taken except in particular cases; but by some extraordinary fatality this agreement was totally disregarded, and the natural consequences did not fail. I believe, however, that my views on this subject are clearly developed in the papers in your possession, to which I have had the honour of referring you above, and that from them it will also appear to you that I do think a preferable system more accordant with humanity and civilization might be introduced.

Answer to Question 5:—

I am not conscious of having done more than other magistrates in this respect. My correspondence with the Colonial Government, and my orders to the officers of my department, must show my views. The system which I adopted, as appearing to me the best in the existing circumstances of the colony was, strictly to watch the proceedings of the field cornets, and cause the inhabitants of my district to expect the severest penalties of the law if I should discover any wanton aggressions. If any of my opponents dispute this, it must be easy to produce one single case in which I could obtain proof, and failed to punish or prosecute. Yet it will be found by all my representations, that I felt the necessity of putting down with a strong arm any gang of marauders, which was known to carry on depredations against the colony. And I here repeat, that whatever may be the cause of the degraded state of some native hordes, and however much we ourselves may have contributed to it, the cause of peace and humanity will not be served by leaving such deeds of plunder and blood unchecked. To enable the peaceable part of our neighbours to leave us unmolested (thus, for the sake of all), these congregations must not be allowed to exist. Late events on the northern borders of the colony have most forcibly illustrated this. But the question is, whether we cannot prevent the people composing these gangs from being thus driven to a state of desperation, or at least deprive them of all excuse for their conduct. One of my schemes was to get the farmers to contribute cattle and sheep, in order to set up some kraals of Bushmen as breeders. I was most readily supported by the inhabitants of my district, among whom there are many respectable men, as sensible of and as anxious to remedy the evils which we have brought on ourselves as I was. But an attempt made on a small scale failed. I found that we, not being able to protect beyond the frontier those to whom we had given some cattle, had only tempted others to attack them, and they, to escape the danger hastened to consume, instead of trying to increase what they received.

The colony of Hottentots, which his Excellency Sir Lowry Cole allowed me to establish on the Kat River, proved a much more successful experiment; the particulars thereof are well known in your department, and here I am obliged, in order properly to connect my replies, to anticipate your 7th, 8th, 10th and 11th questions, as necessarily involved in the discussion of this.

I do certainly "consider it practicable to establish amicable arrangements, not only with the Caffre, but with the Griqua and Coranna chiefs, for the maintenance of good order, and so obviate the necessity alleged to exist for continuing the commando system," for as far as those chiefs and their people are concerned; but the evils of a century and a half are not to be remedied in a day. The arrangements with these chiefs will not all at once stop the inroads of independent gangs of marauders; and if on the first injury done by the latter, we charge the said chiefs with a breach of their engagement, and plunder their people, those arrangements will prove as fragile as all former ones. These gangs are many and various, as I have above shown, and likely to increase, if matters be allowed to take their course. For the last six years migrations of colonists beyond the boundary (such as are mentioned in your 10th question) have recommenced. I have more than once ordered them back, and seen the order obeyed; but during the last year of my residence in the colony, I again found numbers of these emigrants out of the colony, and believe that many more were preparing to join them from various causes. This must prove the source of much mischief, for though there are among them many well-disposed men, there will necessarily be many bad characters who will not scruple (if even the others should) to follow the system by which their forefathers became possessed of land; and the present tenants, when ejected, will increase the number of plunderers, and be unmercifully destroyed. With the Griquas and Corannas these emigrants must soon come in collision; and if they should become strong enough to dispossess those who have peacefully settled, and have gradually consolidated themselves into a useful community, they will bring a very dangerous enemy upon us; at any rate the Griquas and Corannas stand on no more ceremony with the Bushmen and their land than the emigrants will, and between the two parties the savages will soon be homeless, so that from one extremity of the frontier to the other a constant ferment will be kept up.

Having thus, to the best of my abilities, laid open to you the existing evils, I will humbly attempt, in compliance with your 8th and 11th propositions, to submit to your judgment which I consider the best remedies in our present predicament. These appear to me to consist in strict justice, for as far as such is still possible, by permitting no aggressions on

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the part of the neighbouring tribes against the colonists to go unpunished, provided you have ascertained beyond all doubt who the aggressors are, and run no possible risk that you make the innocent suffer; and by punishing with the utmost severity every injury done by the colonists to those neighbours, as if it were done to ourselves; nay more, those tribes should be understood to have the right to deal with such aggressions according to their own laws, if they found them committing the injury in their country, and their possessions should be held by us as sacred as those of any of His Majesty's subjects. It is not always when the greatest clamour is made that there is real danger. You will find upon record, that I have repeatedly resisted the loudest cries for commandoes, when they were supposed even by the Government as indispensable; and that, though the required commando did not go out, the predicted misfortunes did not follow; in short, unless you find the plunderers in the fact, in nine cases out of ten you punish the innocent. And here lies the great evil, for it is the easiest and most lucrative mode of retaliation, yet at the same time the most demoralizing.

But in order to enable the Government to act steadily upon these principles, some steps must be taken to restore order beyond the limits of the colony, where an unlimited field for European philanthropy and civilization is to be found. One of my objects in setting on foot the Kat River settlement, was to make an experiment in how far such a system of colonization could be beneficially extended along our frontier, and even beyond it. I did not despair that its entire success would have induced the Government ultimately to permit me to adopt the same measures, under certain modifications, with reference to the Caffres who are located within the colony near the coast, between the Great Fish River and the Keiskamma, under the chief Pato. These people pretend to have some claim to this territory, founded on a promise of his Excellency Lord Charles Somerset, but at any rate sound policy dictates a liberal course towards them, and a permanent title might be given them on terms which would be of incalculable benefit to the colony, to themselves and to the Caffre natives generally. They are prepared to adopt many of our laws and customs, and would be happy to enjoy our full protection. Other Caffre chiefs, who have hitherto been upon a less amicable footing with us, but have been occasionally allowed to reside in the ceded territory, would soon be brought to adopt the same course, and we might gradually have obtained a dense population of white colonists, Caffres and Hottentots, from the Winterberg to the sea, all governed and protected by the same laws, and equally interested in the peace of the country.

On the northern frontier you have an extensive community ripe for good and for evil. If left to themselves, open to aggressions on one side, and with the temptation of weaker tribes, easily overpowered, on the other, it is to be feared that, in spite of the best intentions of some of the leading men, and all the efforts of the missionaries, they will retrograde. Whilst under our protection, which I believe they would most readily adopt, if extended upon liberal and just principles, they would vie with the Kat River settlement in improvement and in usefulness.

I am aware that here the great objection against the extension of the colony stands in the way, but the population is spreading itself, and has been doing so ever since the middle of the seventeenth century in spite of the Government. If the Boors migrate beyond the frontier in great numbers (which I fear they will), who is to bring them back? they tell you they are doing nothing illegal by withdrawing from a country in which they have no room for their flocks or do not feel themselves comfortable, and that if you cannot extend the protection of your Government to them, they are ready to forfeit it, and those who talk of fetching them, or forcing them back by means of the Griquas, understand neither the nature of the people, the country, nor the question, or are certainly not averse to scenes of bloodshed. Nor have I any desire to shut up the whites within certain limits for the benefit of any particular class, whilst all equally encroach. The disposable land in the interior is of unlimited extent, and the white man will have his share do what you will (the history of every colony proves this); but the question is, whether he shall be allowed to go forth without control, dispossessing the natives, destroying them upon the least resistance, and the Government follow when the mischief is irremediable, as has been the case heretofore, or whether the Government shall take the land, prevent any thing being taken but what the nations choose to part with, taking care that they be amply indemnified, that this indemnification be applied to their advantage, and that extensive tracts be reserved for their own support, in which they should be protected upon an equal footing with the most privileged classes, and in which I do not despair the means might thus be provided to reclaim those who have been forced into a marauding life, and for whom otherwise there appears no other lot in store but extermination. I am of course alluding to those tracts adjoining the colony in which there are only wandering disorganized hordes to be found, and into which our emigrants find such easy access, for with those nations who can control and protect themselves, I would only maintain the most amicable treaties, watching cautiously our borderers, who would then be under our check, in their treatment of and dealings with such nations.

The accomplishment of something like this I was at one time sanguine enough to hope, and to suggest the adoption of some similar project, improved or matured by your superior wisdom or that of the persons you may see fit to employ in the execution, is the best and indeed only answer that I can give to the said 8th and 11th questions. Yet I will humbly allow myself one remark, founded on long experience, viz. that if you should think the scheme worthy of a trial, it would be desirable for a long time to come to let a black rule blacks where such is practicable, and to let as few whites (middlemen, if I may use the term,) as possible stand between such black authority and the higher functionaries who may have the management of the frontier. Whether such an undertaking would require the immediate supervision of some high authority on the spot, I hardly consider myself competent to judge,

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for, as I must admit that I feel strongly on the subject, I may not be totally free from bias. The Commissioners of Inquiry, however, recommended the creation of a particular office for the control of the eastern division and frontier, and Lord Goderich did create one to which I was appointed, but which, under the management of the Colonial Government, dwindled into a perfect sinecure, which I refused to hold, and it was abolished. The revival of a situation having to contend with such peculiar prejudices is hardly to be recommended, for no officer worthy of your confidence for so important a trust will long submit to the Governor and Colonial Secretary (whatever may be his personal respect for their high characters) carrying on his duties with the inferior officers of his department, and leaving him a cipher in the matter, whilst an almost bankrupt treasury is paying for an unperformed task. He will withdraw himself from so degrading a position, though that step should expose him to the inconvenience and mental suffering in which a similar one has involved me, and add to the confusion previously existing; under such circumstances it would appear preferable to leave the whole management in the hands of the Governor and the frontier Commissioners.

To question 9, I can safely say, Most certainly. In a military point of view, the troops are even now of little importance; the Cape frontier defence has nothing military in it. Both officers and men have the most arduous, harassing, ungrateful and even degrading duties to perform, particularly in trotting after every cow which a Boor fancies and reports stolen, but military field discipline and courage is never called forth, a pitched battle never takes place (the solitary instance of Graham's Town showed the Caffres the madness of such an attempt), it is all a bush hunt, where military tactics are out of the question, and where the Boor is as good a soldier as the man who has been drilled ten years. It is, therefore, not by its physical strength (for the shooting part used to be performed too well before there was a soldier in the country), but by its moral influence that the military force might have benefited the frontier. The colonists as well as Caffres know that it acts under the direct orders of Government, and respect it accordingly; the officers being generally honourable and respectable men, would have been the best referees in the many disputes between the two parties, who would readily have abided by their advice and decision, and the military posts would thus have operated more as a check upon, than a facility for, patrols to take cattle. As it is, you will find by the statements of the military commandant himself of 1831, that then, after so many years of military coercion, the frontier was in as deplorable a condition as it ever had been (*vide* again my said communication to your predecessor); would any man tell you that that is because there are not troops enough? Let him then say how many it would take to protect a frontier of 800 miles, if more than 1,000 cannot do so with 80 miles. But the fact is, the force employed is found more than enough, as a considerable part of it is always far away from the frontier, where the head quarters happen to be. If the present system be persevered in, we may require the troops to be increased tenfold, for every cottage and every flock may require a guard, and by an opposite course, such as above suggested, or a better one, we may hope to see them dispensed with altogether. Of the expense of the former alternative, if practicable even, I need say nothing more than that of the ruinous cost of commandoes Government can have no idea, as the losses of the farmers who are called from their homes by their absence from their business, and the horses, &c., which they often leave behind on these expeditions are never brought into account.

There now remains your sixth question. Of the three cases there stated, as known to me in my official capacity, I only recollect the two first, both which are much more fully detailed in my above-mentioned representations to your predecessor than I could possibly relate them from mere memory. As to the third, I can only observe that I had a case before me in which a man named Rezendenhout was accused of maltreating a Caffre, and that, from as much as he himself admitted, his conduct had been most outrageous. I fully remember speaking in terms of great severity to him on the subject, but I cannot say positively whether this is the case you allude to. The Caffre had been plundered of his cattle and cruelly beaten, after having killed a cow to feed Rezendenhout and his party, and exerted himself to find some oxen, which they said they were in search of. I am equally at a loss to state any other recent cases of a similar description in the absence of records; some you will find in the communication to which I have had the honour of repeatedly referring you, and you will find no difficulty in the colony to obtain proofs. Messrs. Bruce, Kay and Pringle are responsible for what they publish, and they can be compelled to give up their authorities. Some of the most heinous things they have said I know to be quite true, and I have never scrupled openly to give my sentiments on them. When the first or second case on your list was reported by myself to the colonial government, I received for answer (as you will see by one of the secretary's letters) that the parties should be punished if his Excellency the Governor should find the statement confirmed. I expected that a regular Court of Inquiry would be held, and determined on bringing forward the said case of Rezendenhout, and several others of a most galling nature; but if any steps have been taken in the business, it has not been deemed necessary that I (the officer, as I conceive, most responsible) should know any thing about them.

I have been severely judged for feeling hurt at such proceedings, whereas now I may, perhaps, be placed on the defensive for having been too passive. Yet I fondly trust (relying upon the character you bear) that every thing that may in the most distant degree reflect upon my conduct whilst in office will be sifted to the bottom. I possess nothing more dear to me than the admission of all those under whom I ever served, that I have done my duty honestly and zealously during a long public service; and I hope that in my retirement, to which I have been forced by the most unwarrantable, arbitrary treatment, which remains to this hour unexplained, no advantage, with you at least, will be allowed to be taken of my distance from Downing-street and the colony. I will consent to suffer if the native tribes,

or any party at the Cape, have justly to complain of me. All I pray is a fair investigation. I know that my views generally, as above stated, are not popular. I am aware that many friends of humanity and civilization think them not sufficiently liberal and enlightened with reference to the blacks, whilst, on the other hand, some of my countrymen charge me with abandoning the cause of the whites. No man can feel more respect than I do for the principles and objects of the former party, amongst whom I have the pleasure of counting some of my most valuable and intimate acquaintance, however much I may differ with them on particular points of expediency; and birth, education, prejudices and ties of affection warmly attach me to the other, who, though thrown by the course of particular events into unhappy circumstances in regard to some of the lower classes in their midst, constitute, nevertheless, under a sound system of policy and just treatment, in the aggregate, the best disposed and easiest managed people in His Majesty's dominions. But I am not called upon here to please either; I have the cause of truth to serve; I am to call "murder, murder," and "plunder, plunder," whatever be the colour of the perpetrator's skin, or the power and influence of the man who countenances the same, in order (by stating facts as they are) to enable you (as you are known to have the wish) to apply such remedies as will render the Cape colony what it is capable of being made, one of the most prosperous and happy communities on the face of the globe.

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I have the honour, &c.

*A. Stockenstrom.*

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Queries for Captain *Stockenstrom.*

Captain Stockenstrom, late Commissioner-general for the eastern districts of the colony of the Cape of Good Hope, having been, as it is understood, intimately acquainted with the relations of that colony with the native tribes for many years past, the following Queries are submitted to His Majesty's Secretary for the Colonies, with a view to their being forwarded to Captain Stockenstrom, and answers received thereto :—

1. How long have you been personally acquainted with the state of affairs on the frontier of the colony of the Cape of Good Hope, as a public functionary, or otherwise?

2. What, so far as your observation and experience extend, has been the system of policy pursued by the colonial government, in regard to the native tribes or hordes beyond that frontier?

3. What is your opinion of what is commonly called the commando system, as a system of frontier defence?

4. Is it your opinion that a preferable system, and more accordant with views of humanity and civilization, might be introduced?

5. Did you, as a magistrate, make any attempts to introduce or to recommend a more conciliatory system, and what was the result of any such attempts?

6. You have been referred to as a public officer, cognizant of the fact, by several persons who have recently published accounts of alleged outrages committed by the colonists upon the Caffres, namely, by Mr. A. Bruce and John T———, who have published letters in the Cape newspapers, and by the Rev. Stephen Kay and Mr. Thomas Pringle, who have respectively published works on the Cape in England; among other cases, reference has been made to you in the following:

1. In the case of the alleged slaughter of a Caffre chief named Soko, and several of his followers, in June 1830.
2. In the case of a patrol granted to recover stolen cattle, at the instance of the Boor, Gerrit Schessers, wherein the Caffre chief Botman is said to have been very unjustly treated and oppressed.
3. In the case of a Boor named Rezendenhout, and a Caffre named Gimhusha, in which the latter is said to have been oppressed and maltreated.

Be pleased to state what you know of these cases, and of any other recent ones of a similar description.

7. Do you conceive it practicable to establish amicable arrangements with the Caffre chiefs on the frontier, for the maintenance of good order, and so obviate the necessity alleged to exist for continuing the commando system?

8. What measures would you propose in order to attain this object?

9. Do you think that any considerable saving might be effected, in the expense of supporting a strong military force on the eastern frontier, by the introduction of more amicable relations with the Caffres?

10. Do you know any thing of the alleged facts of a considerable number of Boors having taken possession of a large tract of country beyond the northern frontier of the colony, and of having refused to obey the order of Government to return within the boundary?

11. What scheme would you propose for preventing or punishing encroachments of this kind upon the territory of the independent tribes, or so far as past encroachments cannot now be remedied, for extending the execution of the colonial laws, for the proper government of the self-excited colonists, and for the protection of the natives?

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Rev. *William Shaw*, called in; and further Examined.

Rev. *Wm. Shaw.*

21 August 1835.

1099. HOW many years have you served as a missionary?—Upwards of thirteen.

1100. You have had a full opportunity of seeing the result of missionary exertions?—Yes.

1101. Have you ever considered whether the best mode of instructing the natives is through the medium of civilization in the first instance, and then leading them to Christianity, or instructing them as far as you are able in the truths of Christianity first, and through that medium leading them on to civilization?—That has formed a subject of long and very anxious study to myself and my associates in the mission, and the conclusion to which we arrived was, that the only possible means of civilizing rude and barbarous people is through the influence of Christianity; this opinion is founded partly upon the history of the world, which, since the establishment of Christianity, exhibits no instance of the raising a people from a state of pure barbarism into that which is called a civilized state, independently of the influence of the Christian religion. The case of some of the ancient heathen, but comparatively civilized, nations of the world as they existed before the Christian æra, we conceive may be accounted for, without at all contravening this principle, and in fact when carefully examined, their civilization will be found to have originated in the light of early revelation. Then as to our actual experience we found the only natives (I speak of the Caffres) who were at all desirous of adopting the civilized habits which they saw practised by their European neighbours, were those natives who had come more or less under the influence of Christianity; and we found most decidedly that the greater the influence Christianity had obtained over any of their minds, the greater was their avidity to adopt the habits of civilized life. In illustrating this matter, I would refer to an attempt made, as it was said, partly with a view of civilizing the natives, and partly with a view of extending our trade at a place called Port Natal, where no missionaries were included in the arrangement, and I believe after many years have passed away no very important results favourable to civilization have followed. Now I would beg leave to contrast the results of that mere commercial settlement with those arising from about the same number of years' operation on the minds of the natives, through the means of Christianity, on the missionary plan, and in the Caffre country, as showing the decided superiority of the latter method. I would further remark that, admitting that barbarous tribes could be reclaimed to habits of civilization without the intervention of Christianity or Christian missionaries, it would, I conceive, be exceedingly difficult to find any other suitable class of agents who would be willing to go and reside amongst them, solely with a view to the improvement of their morals and habits. No person of competent qualifications could be induced to reside amongst barbarous tribes, unless stimulated either by very large pecuniary interests, or the only other adequate motive, and that by which missionaries profess to be actuated, viz. a benevolent and ardent desire to propagate the principles of the Christian religion. The question has been somewhat unexpectedly proposed to me, but what I have now said contains an outline of my frequent thinkings upon the general subject. I may, however, also add, as another result of actual experience, that notwithstanding attempts were made, with a view of establishing a commercial intercourse with the Caffre tribes, before we had much missionary intercourse with them, the design of which on the part of the Colonial Government was, I believe, to civilize them, as well as to extend our commercial interests, yet the arrangements for the extension of our commerce with the Caffre tribes failed almost entirely, until the missionaries had more fully established themselves in the country, and I could easily show from documents in my possession, that it was not until the truths of Christianity had been very extensively preached in the country, and the missionaries had acquired a considerable degree of influence among the natives, that it was possible for the Government really to establish any tolerably efficient system of trade.

1102. Had Gaika become a convert to Christianity?—No.

1103. Had Macomo, or any other chief?—None made the profession of Christianity except two or three of the chiefs.

1104. I think you said that we had failed to establish any influence with the natives, except through the instrumentality of Christianity; how do you reconcile that with the fact you now allege, that none of the chiefs became Christians?—I was about to explain that: there were only two or three of the chiefs who could be regarded as having embraced Christianity; a considerable number of the leading chiefs

chiefs were nevertheless under a great degree of missionary influence. There were chiefs on the border, who paid deference to some of the leading truths of Christianity, but whom the missionaries, however, did not deem it expedient to recognize as members of the Christian church. When I speak of the influence of Christianity, I wish to be understood as connecting with it the influence of those who are its professed teachers, and which (perhaps from the peculiar circumstances under which they appear in the country) is much greater than the influence which can be obtained over them by any other class of persons whatever.

1105. Have you any reason to believe that missionary influence has been exerted during the late disturbances, to the preservation of the lives of the settlers?—Each of our missionary stations in Caffraria became a place of refuge for a number of the scattered traders, and in every instance when they reached our settlements, our missionaries were enabled to afford them protection. I cannot at this moment charge my memory with the precise number, but a very large number of British subjects fled to Wesleyville, and were preserved; many of these traders have acknowledged that there could have been no means of escape from being murdered, had they not fled to those places.

1106. So that the missionaries not only were enabled, by the influence they had obtained over the minds of the natives, to secure their own lives, but had the means of affording safety to others, who but for their influence would inevitably have been murdered?—Exactly so.

1107. Do you happen to know whether any of the missionaries were employed as agents in communications with the natives, and that the native chiefs refused to come into the British camp, except they obtained a pledge of their safety from the missionary?—There have been frequent instances of that kind; at my last examination I related a case in which I was personally engaged, when the chief, though it was absolutely necessary that he should attend a conference with a British officer, peremptorily refused to do so, unless I accompanied him and would give my own promise that no harm should happen to him.

1108. Were there several cases of that kind besides your own?—I believe there have been several cases of that kind.

1109. Are you master of the native language?—I speak it tolerably well.

1110. Is it a language very difficult to learn?—It is extremely difficult, especially under the circumstances in which the first missionaries had to apply themselves to the acquisition of it, there being at that period no books written in it, and indeed no grammar or dictionary of the language.

1111. Is there a grammar now?—A grammar has been compiled and recently published.

1112. By whom?—By the Reverend William Boyce.

1113. A missionary?—Yes, a missionary of the Wesleyan Society; he arranged and examined materials collected by myself and others, made many large collections of his own, and ultimately compiled a grammar on a plan so excellent, as to leave very little to be desired in that department of missionary labour.

1114. Has there been any portion of the Scriptures translated into their language?—A considerable portion of the New Testament and some parts of the Old.

1115. Was there any difficulty in learning the language, arising from the extraordinary length of the words?—Yes; but more especially from some great peculiarities in the pronunciation of the language; I refer now to those peculiar sounds called clicks, and which are wholly dissimilar from any thing found in the languages of Europe; there are three sorts of these clicks which occur in the Caffre alphabet, and a deep guttural.

1116–17. Are you acquainted with any class of missionaries who, in their attempts to instruct the natives in Christianity, combine the principles of Christianity and civilization?—That is precisely the plan on which the missionaries of the Wesleyan society endeavoured to act; and I should have remarked, with reference to the various opinions which prevail upon this subject, that there are three different theories; some persons seem to imagine that rude people may be civilized without the influence of religion; another class of persons appear to think that people in that state may be civilized by merely preaching the doctrines of Christianity, without the aid of any other concurrent means of civilization. The opinion of myself and most of my missionary brethren has ever been, that while Christianity alone can give us influence with the natives, and excite in them a desire of improvement, yet we ought to connect with the inculcation of its principles every judicious plan which we can possibly bring to bear on their case, so as to raise them to an im-

proved condition; and on that principle we have been endeavouring to proceed for some years. The first plan will be found to be totally inefficient in practice; the second may produce beneficial moral changes, but it would leave the converted natives in a comparatively rude state; whereas the third plan makes the work of conversion and civilization proceed concurrently, and therefore more efficiently and rapidly.

1118. In the early stages of imparting Christianity, would you propound to the natives the most striking doctrines of Christianity first, such as eternal happiness and punishment?—The first general truths we were extremely anxious to impress upon them were (I speak of my own ministry, and I dare say my brethren adopted a similar plan) the existence of God and the immortality of the soul. And in attempting this, I discovered that the Caffres had some notion of the existence of God and of a future state, as they had an idea that their fathers, and especially the great chiefs, lived in another state; for they call the separate spirits "iminyanyd." Taking advantage of their own notions of a future state of existence, I endeavoured through that medium to convey to their minds the more correct and scriptural views which I wished to impress them with. I should not, however, wish it to be understood that a very great length of time was invariably occupied in dwelling on those two leading points, but they were first established as a sort of foundation upon which we might immediately proceed to build the other and more distinguishing truths of Christianity.

1119. Are the natives addicted to incantations?—They are.

1120. Do you think that that habit at all prepared them to understand the doctrine of miracles?—I think that their notions upon subjects of this nature certainly prepared them to receive with credit the testimony derived from miracles to the truth of Christianity.

1121. Then, in fact, superstition itself paved the way for the reception of the important truths of Christianity?—Undoubtedly; and as I conceive there are few superstitions existing in the world, but their origin may be traced to true religion, of which they are usually the corruptions, I conceive the best mode of imparting religious instruction to a superstitious people is to avail ourselves of the light which is thus blended with the shadows of superstition itself, and by this means with greater facility to impress the infallibly certain, because divine, truths of Christianity upon their minds.

1122. What was the general disposition of the Caffres towards the English Government?—That question can only be answered by dividing the Caffres into classes. There were some of the Caffre tribes which I could mention who were certainly very favourably impressed towards the British Government, and extremely anxious to live upon amicable terms with us. There were others who, from a sense of the injustice they had received or supposed themselves to have received, were certainly not influenced by the same friendly feeling towards our Government.

1123. What are the injuries which they suppose themselves to have received?—They generally stated them to consist in having been deprived of a large portion of the country at different times; and they also frequently remarked upon the injuries which they sustained from time to time as arising from the system of pursuing stolen cattle and making reprisals, not discriminating the innocent from the guilty. I speak now of the causes of their dissatisfaction in very general terms, as I understand the question to refer generally to the state of feeling.

1124. Does there appear to be patriotism or any love of country among the Caffres?—There is a decided love of country among the Caffres; they regard it as an exceedingly great evil to lose their country or to be separated from their countrymen.

1125. What have you found to be the disposition of our people towards the Caffres? Do they look down upon them as an inferior race of people, who may be trampled upon with impunity?—I have already said in a former part of my evidence, that I consider the British settlers in Albany to be influenced by the most kind feelings towards the Caffre race, a proof of which, I think, may be found in their great readiness from the beginning to further the views and wishes of the missionaries in their conversion and general improvement. Of course, in so large a community as that of the district of Albany, there will be found some persons who do not accord with the views of the inhabitants generally, and amongst those there are individuals who, I fear, are not influenced by generous and upright principles with reference to the Caffres.

1126. Have any marks of commercial enterprise appeared among the Caffre tribes?

tribes?—Commercial enterprise certainly exists among them. The trade among them was originated by that which commenced between the colonists and the border Caffres, who at an early period of the border traffic used to take a portion of those articles which they purchased from the English much further into the country, and therewith bartered for cattle with the tribes beyond them. They realized very considerable profits on those transactions; and in that way it is that I would account for the great increase of the stock of cattle possessed by the Amagonakwaybie tribe living immediately on the border. I may also here add that the rapid improvement and great increase in property in that tribe arising from the cause now stated, undoubtedly aided much in producing that state of feeling which has induced them to remain perfectly quiet during the recent disastrous war, as they had, I am sure, sufficient sagacity to perceive that they had every thing to lose and nothing to gain.

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1127. What British manufactures are used in Caffraria?—All kinds of hardware, culinary articles, iron cooking pots, considerable quantities of cotton goods, especially handkerchiefs, which are used as part of the head dress of the females, and which they prefer to their own skin turbans; more recently, a considerable demand has arisen for a coarse description of woollen cloths and baize.

1128. And what articles do they give in exchange?—Principally the produce of the cow; viz. hides, tallow, horns; also the skins of wild animals, and at one period the gum that exudes from the mimosa tree, and ivory, consisting of elephant's and hippopotamus' tusks.

1129. Do they ever respect the rights of property?—To a very considerable extent; within the limits of their own tribe the rights of property are held sacred. The chiefs, however, possess great power, and sometimes, by what may be called the Caffre forms of law, great injustice is perpetrated and property is rendered insecure; that is, doubtless, one great preventive to their more rapid improvement.

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*Mercurii, 26° die Augusti*, 1835.

## CHARLES LUSHINGTON, ESQUIRE, IN THE CHAIR.

Major *William Bolden Dundas*, of the Royal Artillery, called in; and Examined.

Major *William B. Dundas.*

26 August 1835.

1130. YOU occupied several official situations on the eastern frontier of the colony of the Cape of Good Hope, will you specify in what capacity you served, and from and during what period that service existed?—I was appointed as landrost in the district of Albany; I arrived on the frontier early in March 1825; I continued in that situation till the latter end of 1827, then I was appointed as civil commissioner of Albany and Somerset, which I held till the latter end of June 1828; I remained on the frontier however some months longer.

1131. Were you not also military secretary to the governor for some period?—I was appointed in October 1828, and continued in that capacity till the beginning of February 1830.

1132. Will you state to the Committee your opinion with regard to the treatment of the Hottentots generally, and their condition as a servile race?—It is hardly necessary for me to enter into an historical account of the Hottentot nations; as so much has been written and said on the subject, I perhaps need only say that from the period of the colony falling into the hands of the English in 1796, I believe the condition of the Hottentot race to have gradually improved up to the period of 1828, when a total emancipation, I may call it, took place; with respect to their treatment as a servile race, all I can say is that they were forced into contracts, and whether their servitude may have been onerous or not, would be according to circumstances, according to the dispositions of those into whose hands it may have been their lot to fall.

1133. Do you mean by "contracts" contracts of service?—Contracts of service generally for a year, or two years; of course I allude to the men, and those grown up; the children generally were apprenticed after their arrival at the age of eight years for a longer period.

1134. Do you mean by being compelled to enter into contracts, that those contracts of service were enforced by the government?—I mean of course that the colonial

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colonial law was enforced; these contracts were apparently voluntarily entered into by the parties; the laws required that the Hottentots should be in the service of some colonist, or should belong to some of the missionary establishments.

1135. Was that the ancient Dutch law handed down to us?—It was the law which I believe had existed for some years; the Dutch law.

1136. Which we adopted from the Dutch?—Which was continued; the Dutch law was continued unaltered, I must observe, until the general change which took place in the colony; I believe that the law regarding the service of Hottentots was in operation till the passing of the 50th ordinance early in 1828, I had an opportunity of seeing the operation of that ordinance to a certain degree. The Hottentots no longer finding restraint upon them, took, I may say, their liberty, and they became extremely troublesome; there was no restraining law made to meet the circumstances of their case, there was no obligation on their part to live but as they pleased; there was in fact no vagrant law which would oblige these people to be useful to the community, and the consequence was, they were exceedingly troublesome. The Hottentot by disposition is little disposed to labour; he is idle, drunken and improvident, and requires to be held under restraint; I am now talking of the Hottentot character generally, not of particular cases, for I have met with very good and excellent persons among them; and I do not here refer to the degraded tribe, the Bushmen.

1137. Was it with reference to the vagrant habits which the Hottentots contracted by their emancipation, that the government was induced to place them in the location of the Kat River?—By no means; the greater part, or the best part of those persons that were placed on the Kat River are Bastards (men who possess considerable property), and individuals generally who would belong to some of the missionary establishments.

1138. Under the denomination of Bastards you mean those of a mixed race?—Yes; Captain Stockenstrom had taken pains to collect the best materials he could for forwarding the establishment, and I had an opportunity afterwards of seeing the successful result of his efforts.

1139. Speaking of the vagrant habits of the Hottentots to whom you first alluded, how do they obtain their subsistence?—A great number of individuals who had long lived in servitude before the ordinance before alluded to was passed, were possessed of considerable quantities of cattle and of sheep; as long as they remained on the farms of the Boors they were supported by them of course, but as soon as they were without the control and restraint of servitude, they wandered about the country and lived where they could, upon vacant places as well as others; very frequently they would force themselves upon the farms of proprietors, and there remain in spite of the farmers.

1140. Was any systematic effort made to dislodge them?—Every effort was made. Wherever they did place themselves, the chances were they made free with the property of the farmers; they plundered to a very great extent.

1141. Are there any considerable number of the vagrant hordes now existing?—I would not call them hordes, I would say families; it was very soon found necessary to exert the old Dutch vagrant law, which is most severe on the vagrant habits of the people; the prisons were soon filled with these people, for depredations out of number were committed by them, and altogether they became extremely troublesome in the country.

1142. Can you give the Committee any idea of their numbers?—It is impossible to say what their numbers may be; I know that on an average of some years in the frontier districts of Grathtenet, Somerset and Albany, there were from 300 to 400 Hottentots apprehended for robberies and vagrancies, and acts committed by them as vagrants; I think that I could procure a return of the coloured people that were committed for acts of vagrancy in the districts named during the three or four years that followed the issue of the 50th ordinance.

1143. The object of the question was to ascertain if those people were likely to be formidable in consequence of their numbers, or to give serious trouble to the authorities?—There is no doubt they might if they were to associate in very great numbers, but that they could not do, they could not live in great numbers without drawing the attention of government; the usual mode of their existence when disposed to vagrancy is by associating in families only, and getting into some woody or difficult part of the country, conceal themselves, and from thence they issue and commit depredations.

1144. Is it correct to assume that there are three classes of Hottentots; those

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Hottentots who are engaged in domestic employment with the settlers; those who are vagrants you have just described, and the settlers on the Kat River?—They are all of the same class; if they are desperate and bad, of course they are not received among the settlers as servants, or on the Kat River; for all admitted there are supposed to possess some character, and, generally speaking, some little property; neither will any of the missionaries receive them at their establishments. The Hottentot is notoriously improvident, and what he gains in servitude he very soon spends, generally speaking, in dissipation and wasteful extravagance, so that there is perhaps as much real and abject poverty and misery among those people as is to be found among any people in the world; those who feel themselves disposed enter into the service of the farmer, and are often good and useful servants; but as I have before said, there is a large proportion of extremely bad and worthless men who become plunderers of the country, and fill the gaols of the colony; those men are irreclaimable; if they attempt to go to any of the missionary establishments they are rejected; they cannot be admitted to the Kat establishment for want of character, and in many cases they are so bad, that none of the farmers, however they may require servants, will employ them. What is the consequence? they are obliged to prey upon the public; in fact they are like other bad men in all countries.

1145. Do they generally plunder the colonists, or do they go beyond the frontier and plunder the native tribes?—They plunder the farmers and commit great depredations among their sheep, and thereby supply the wants of nature.

1146. Is it correct to suppose that Lord Caledon was the first governor who passed an ordinance in favour of the Hottentots, and that that ordinance was afterwards confirmed by General Bourke, for removing their disabilities?—Lord Caledon's proclamation or act certainly very materially improved the condition of the Hottentots, but General Bourke's ordinance emancipated (I think you may so say) the Hottentots altogether.

1147. That is the enactment perhaps to which you alluded in the early part of your evidence?—Yes.

1148. Will you describe to the Committee the establishments under the missionaries who have had for their avowed object the civilization and religious and general instruction of the Hottentots?—The object of those establishments of course would be, that of pure benevolence, and unquestionably a great deal of good was done in bringing together and keeping together the wrecks of the Hottentot nation. Their avowed object was of course to christianize as well as to civilize, and I have no doubt, nay, I am sure, that a great deal of good has been done by them. The establishments immediately on the frontier and within the colony are Bethelsdorp, Theophilus and Enon.

1149. Those were chiefly for Hottentots?—Yes, and Bastards. Those who attached themselves to these establishments, were not required to enter into the service of the farmers, but many did, and after a service of a year or more, or less, they returned, with the produce of their labour, to their families, who during such service generally continue at the establishments.

1150. The Moravians were the principal promoters of Christianity among the Hottentots, were they not?—They were the first who made any effort to civilize this people, and that as far back as 1737, under the missionary Schmidt.

1151. Does the establishment of Moravians at Gnadendahl at all flourish?—Yes, it is a very useful and respectable establishment. There is another which is calculated to effect much good among the Tambookies, there is also one near Uitenhage, and another near Cape Town at Groen Kloof.

1152. Are not the Tambookies described as a gentle race comparatively speaking?—As neighbours, they have always been quiet and have conducted themselves well; I have heard very few instances of a plundering disposition being shown by them.

1153. Do you understand that many of them have been converted to Christianity?—I should question the fact, it is not easy to christianize a barbarous nation. It cannot be done unless in a long series of years, and painful exertion on the part of the missionaries; they may nominally become Christians, but I doubt their being so in fact. Much may be done with the rising generation, but to make a savage a Christian is a very difficult matter; to give him ideas other than those he imbibed in his infancy is next to an impossibility, it is unnatural.

1154. But though the missionaries may unfortunately have failed in making converts to Christianity, I suppose that their course of proceeding must have eminently conduced to the civilization and the improvement of the conduct of the Tambookies?

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bookies?—Very little has been done, indeed I know of no establishment except that on the Cliplat River, among the Tambookies. I know of no establishment among them, at least up to the year 1830; but they are the fathers of the Caffre nation; it is not perhaps strictly correct to speak of them and the Caffres as two distinct tribes.

1155. Has this Moravian establishment mentioned been established among them since 1830?—No, it was before 1830.

1156. Your official situations must have afforded you various opportunities of intercourse with the Caffres, and favourable occasions of observing their characters and manners, will you state to the Committee your opinion of their character and disposition, and also at the same time state the attempts of the missionaries to civilize and christianize that class?—I had frequent opportunities of intercourse with them, I was often in their country, indeed I took a considerable interest in the Caffre people, I did what I could, as far as I could, to improve our relations with the Caffres, but the Caffre is very different to the Hottentot; indeed he is a perfect contrast to the Hottentot, he is manly, enterprising, and warlike in his disposition, but still savage; ready at all times for offence as well as defence, regardless of human life, either of his own or others, roving from place to place with his cattle, and living a wild life, he is more likely to become the oppressor than the oppressed. He is sunk in barbarism, he has but indistinct views of rights of property, and his first principle seems to be to exert the power which nature has given to the strong over the weak, by robbing him of his property. He is in fact by nature and disposition a thief, and he among them is most honoured and esteemed who conducts his expeditions against his neighbours with the most success, and returns with most plunder. The young are urged on to action by the desire of possessing wives, who can only be obtained by purchasing them with cows; to procure the requisite number of those, five or six, as many years' servitude in their own country would be required; this period they are naturally desirous of shortening; the motives are strong, the temptation great, and the colony is before them; and when they succeed they are welcomed as returning from a successful war; and they pay tribute to their chief with part of the plunder they may have stolen. They are sure of escaping discovery, for the stolen cattle are removed into concealment beyond the reach of the colonists, until the search for them may have been made. Thus the Caffre is early initiated into scenes of robbery, success makes him bold and enterprising, he goes on from theft to theft, and only relinquishes his trade when he possesses a sufficiency of cattle for his support, and then leaves the field to the younger and more needy.

1157. Under your view of the subject the Caffre must be a very troublesome neighbour?—Nothing can be more so.

1158. Are they the habits you have just described that chiefly operate in rendering the Caffre troublesome and dangerous to the colony?—Decidedly; he is ever ready for plunder, when temptation is before him. From his earliest youth, as soon as he is circumcised, which takes place at the period of 14 or 15, he is anxious to accumulate property for the purchase of a wife, for without a wife he has no comfort, the ground is not cultivated, he can have no hut to live in, for the Caffre man is degraded by cultivating the ground or building a house.

1159. Do you imagine that the system of reprisal which has been so long pursued on the frontier has been attended with any salutary consequences, has it tended to deter the Caffre from his inroads?—Certainly not. Nothing in my opinion will deter the Caffre from enterprises of a predatory nature; he is poor, he wishes to become independent, and he takes the readiest means of being so; he risks every thing, for he is indifferent as to the consequences; he sacrifices his own chance of life without hesitation; in short, he is a desperate character, while he is poor he will therefore attempt to plunder as long as there is any chance of his succeeding.

1160. As you consider the reprisal system is ill calculated to attain the object which is contemplated by it, the Committee may conclude you do not approve of the commando system?—They are not immediately connected; it ought to be understood that the greater part of the Caffre depredations are in the small way: two or three young men associate together and come into the colony, to possess themselves of 40, 50 or 60 head of cattle, for a robbery of that kind a commando may not be called out. The military upon the frontier is generally sufficient to recover and to make reprisal for the cattle so taken; it is only on great occasions that a commando is called out, and to repress any general movement of the people. It is a curious fact that, from the period of my arrival on the frontier till I left

I left it, there had been only one small commando called out, to restrain Caffre depredations, or to punish the Caffre: in two or three other cases, large commandos have been embodied for the purpose of defending the Caffre tribes against the incursions of large hordes in movement from the north to plunder and overwhelm them; for their defence and their's only, were commandos called out during the time I was on the frontier, with the small exception named.

1161. What is the name of those tribes?—Those that first threatened the Tambookies were the Mantatees, the second were the Fichanes or Monguanas.

1162. But though, during the period of your service on the frontier, the commandos were only called out for the purpose of protecting the Caffres, is it not consistent with your knowledge that the commandos have frequently been called out to punish the Caffres themselves?—I mentioned that only in one instance; within the period I have stated had there been a commando called out for the purpose of punishing the Caffres. A commando implies the calling together the boors, or farmers and burghers on the frontier, to unite with the military for the general defence of the frontier; I am aware that a great number of military inroads were made during the time mentioned, but no commando, nothing that may be considered as a commando, with the exception of one small one, which occurred to the best of my recollection in the year 1828.

1163. What period does this embrace that you are speaking to?—Early in 1825.

1164. From the beginning of 1825 to what time?—To 1828.

1165. To what period in 1828?—Late in 1828. I left the frontier in October. During this period, however, an immense number of cattle had been taken from the colonists by petty theft; I should say between 3,000 and 4,000 head of cattle nearly, and perhaps 120 horses annually; and I think I am within the mark when I say that not one-tenth part of those (a very, very small proportion) were recovered by means of the reprisal system; by means of the reprisals and inroads of the military. Cattle were always reported to the commandant when stolen, and the commandant, I suppose, sometimes gave directions for those cattle being reclaimed, and sometimes he did not, according to circumstances; but I believe the period of those three years and a half might be considered as particularly quiet; there was no general commotion among the tribes, except those arising from the fears of attack from the north, and no disposition to avenge any fancied injuries; we were not much disturbed by them, except by those small depredations. I do not know how it was possible to restrain those depredations or recover cattle, except by sending in for them. Until General Bourke, early in 1826, altered the system on the frontier, perhaps the Caffre might occasionally have had some reason to complain. If stolen cattle had been traced to one particular kraal, the orders of the government were to seize from that kraal, either the cattle taken, if there found, or to make reprisal to the amount of the cattle taken; but it very seldom happened, when they were traced to the kraal, that the cattle were to be found there; no sooner were colonial cattle, which to them are extremely valuable, received into any kraal, than they would be sent off to a distance into the more difficult part of the country, where it was impossible to follow them.

1166. Do the Caffres depend entirely on their cattle for subsistence?—Not entirely.

1167. But chiefly; and as the young men of the tribe look to the possession of a certain number of cattle to enable them to settle in life, is it not clear that the depriving them of their cattle must necessarily stimulate them to new outrage and renewed depredations?—I never admitted that they had been deprived of their cattle to my knowledge; to my certain knowledge for every ten head of cattle they took, we did not receive one in return.

1168. The balance was generally in favour of the Caffre?—We did not get back one-tenth part of those that were taken by the Caffres; I speak of my own time only. There is another cause of depredation which I may as well mention: the Caffres are notoriously improvident of their corn when they possess it; after the harvest is taken in, they consume without regard to the future, and when about the time the produce of the harvest is consumed winter comes on, when there is a scarcity of grass, and consequently of milk, and from mere starvation, actual starvation, they are forced to exist by plunder, and for this purpose they get into the woody parts of the colony, and there remain for weeks together, they send out a party of one or two to seize a fat beast and drive him into the wood, and there they remain till the carcase is consumed, and they continue in that way

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till beast after beast is taken: the loss of a single beast from one flock is not immediately perceived, and they continue till they are either tired with actual repletion or they find it necessary to return with the burden of the skins they may have got. They carry on a profitable trade with those skins, and they find a ready sale for them on their return to their own country; indeed for the value that they get for a single skin, by going 150 miles to the rear, they can purchase a living animal.

1169. Do you conceive that the interests of the British settlers on the eastern frontier have been much depressed, and if so, be so kind as to state what has operated to retard the general improvement and to render their persons and property insecure?—I conceive the continued inroads of the Caffres have had the effect of rendering their persons insecure, have prevented increase of cattle, and consequently any improvement in their condition; in short, they can have no certainty that the cattle they possess one day is left to them the next. A man who has expended his little all in the purchase of cattle, may lose the whole of those in the course of a night. He is, perhaps, from comparative comfort reduced to abject beggary; for the English settler depends quite as much on his cattle as the Caffre does, and from the nature of the frontier, from the circumstance of the Caffres not having been cut off from the Fish River, his incursions are made with perfect impunity, and with very little chance of being detected. It was, therefore, greatly injurious to the interests of the settler, indeed a very unwise policy, which prevented the entire occupation of the ceded territory—(I will not call it neutral, for that term never was known till after Sir Rufane Donkin left the government of the colony, at least I believe not.) It is, therefore, to the nature of the frontier and the impossibility of defending the frontier, that the circumstance of the low and depressed state of the frontier interest may be owing.

1170. Are you of opinion, generally speaking, that as much protection was given to the frontier as the resources of the colony and the military force at the disposal of the authorities enabled the government to afford?—I have already stated, that in my opinion the loss occurring to the colony arose principally from the nature of our boundary. Had the frontier, had the ceded territory been occupied as it should have been, there would not have been one-tenth part of the depredations committed on the frontier that happened.

1171. But was, in your judgment, as much military protection afforded as could reasonably be expected from the government?—It is a difficult question to answer; I am not in my own mind of opinion that as much was done for the protection of the frontier as should have been done. It is, perhaps, one of the most expensive governments of all the colonies of Britain; there is a small population extended over a very large extent of territory; there is a very long boundary to defend, and a very small number of troops is given for that purpose: The occupation of posts at the distance of 30 miles from each other never can have the effect of restraining the Caffres, never.

1172. Where were you when the Caffre chief Macomo was expelled from the Kat River?—I was in Cape Town, acting there as military secretary.

1173. Can you apprize the Committee of the course of the removal of Macomo?—I can; the two Tambookie chiefs, Poowanna and Gelala, had had some dispute (I believe they were relations), they had had some difference respecting succession of property, they had moreover a short time before this, (two or three months) in consequence of an inroad of the Fichane, been driven upon our frontier and not very far from Macomo's country. Macomo had heard of the differences between them, and he, I presume, thought this a good opportunity of enriching himself; he went into the Tambookie country with a very considerable force, and made an attack upon both these chiefs; they fled for protection, with their cattle, into the colony, into the district of the Tarka; Macomo followed, and committed there many murders, and took nearly 3,000 head of cattle from them, and that within the boundaries of the colony. On this being reported to the governor, it was directed that Macomo should be required to restore or make restitution for the cattle stolen, and reparation for the injury he had done to these unoffending people, or in the event of his not complying, that he should be forced to leave the Kat River, where he had been allowed to remain on sufferance during good behaviour; if I remember right, indeed I am sure his reply to the person who was sent to him was, that he did not see that the English had any right to interfere between him and the Tambookies, and he would not give up the cattle. An order was consequently sent to the commandant to expel him, but to give him three

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or four months to take in his crops and to complete his movement. When he found the governor was determined to expel him, he sent back 300 head of cattle, saying those were all that fell to his share, and his people would not give up the remainder. He was, however, expelled, and orders were given to the commandant, indeed positive orders were given, that Macomo should on no account ever be allowed to return within the boundaries of the colony. What has subsequently taken place as to Macomo, I know nothing, except from the public prints, and hearing details from persons who were in the country. But I know this, that Macomo ought not to have been in the colony; and, therefore, the circumstance as to the latter expulsion ought not to have taken place. I mean to say, that if the orders of the governor had been acted up to in the first instance, he would not have been in a situation to be expelled.

1174. Then the expulsion of Macomo had no connexion with the prospect of locating the Hottentots and Bastards in that district?—Most assuredly not; I think it must have been six weeks after the expulsion, that the suggestion of Captain Stockenstrom was made to be allowed to locate the Hottentots.

1175. The Committee have reason to believe that the colonial policy in the management of frontier affairs, as connected with the Caffres, has been far from uniform, if such be the fact, please to describe the several changes with which you are acquainted?—From the time the frontier was occupied by the military, that is from 1812, when Colonel Graham was sent up for the purpose of expelling the Caffres. It may be necessary, perhaps, to go beyond that, but to me that is all matter of history. I know nothing of my own knowledge of what the state of the country was previously to the period when I myself went to the frontier. The country up to the Fish River had been occupied, as early as 1773 or 1775, by Boors from the northern part of the country, from Graafreinet, and they remained in possession of that country, the Zeurveldt, until about the year 1793, when they were first expelled by the Caffres, or rather partially expelled; some few, however, remained till about 1799, when the Caffres plundered them of their property and destroyed their houses, and massacred wherever they went, and in short took forcible possession of this part of the colony, where they remained; some feeble attempts were made in 1797 or 1798 to drive them out, but they were not finally expelled till 1812, when the original occupants of the land, the Boors, were invited back, and certain advantages offered to those who came from other parts of the country to occupy; that is, the lands were to be given to them free of expense, and in short, every encouragement was given for the purpose of the occupation by a dense population of this frontier district. The military government of the frontier, or the military establishment of the frontier, was made in the year 1812; from that period the system was changed. No Caffre was allowed, without a pass, to appear on the right bank of the Fish River; no settler or farmer was to be found on the left bank; very severe penalties of flogging, even of death, were ordered; at least these penalties were continued, and an old law was re-enacted, with the view of preventing intercourse which might lead to disputes, &c.; the Caffres who were found, as they could only be on the right bank of the Fish River for the purpose of plunder, if they would not deliver themselves up when discoverd, were ordered to be followed up and shot, and many, I have reason to believe, were shot.

1176. Do you know whether the settlers passing over the river to the Caffre country were equally punished?—I have just stated that the then law was, that if any person should be found on the left bank of the Fish River he was liable to punishment, corporal punishment, and the law extended as far as death in certain cases.

1177. As you say the Caffres were liable to death and were punished with death, do you know whether the settlers were liable also to death, and were punished with death?—I have stated that Caffres found on the right bank of the river were, if they did not deliver themselves up and give a proper account of themselves, shot; I dare say they were.

1178. Was the same punishment inflicted on the settlers when they transgressed the bounds?—The laws were altered I believe in some degree previous to the period of the settlers arriving in the colony; but this I do know, that Lord Charles by proclamation called to the recollection of the colony, particularly the inhabitants of the frontier, that such a law was in existence. I know that colonists who had gone over for the purpose of carrying on an illicit trade with the Caffres for cattle were apprehended and tried.

1179. And convicted?—Yes, there were convictions.

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1180. What was the punishment?—They were confined for a limited period.

1181. Do you recollect what period?—I do not exactly recollect, five or six months perhaps; there were several imprisoned, but these people went over for the purpose of smuggling, with a good understanding with the Caffres, and for the purpose openly of carrying on trade—a very profitable trade, in cattle and ivory. They, to my certain knowledge, did not go over intending aggressions against the Caffres. This law was in force until General Bourke assumed the reins of government As part of the frontier system of management I should here mention, that when cattle were stolen by the Caffres, the flock or herd of cattle were followed by spoor or track into the Caffre country, and if they were overtaken, of course the party recaptured them, and if any opposition was made by any Caffres driving them off, the Caffres were shot; or again, if they were traced to any particular kraal, the cattle if there found were recaptured, or reprisals were made if they were not found; and if any opposition was made, then it was lawful for the parties to fire.

1182. How many expeditions of this kind, for the purpose of recovering stolen cattle, took place during the time you were in the neighbourhood?—That I cannot tell. This I can say, however, that no week, during the three years and a half that I was on the frontier, passed without depredations to a serious amount taking place among the cattle of the settlers; and as these depredations were so frequent it was perfectly impossible, with the small military force of the frontier, to send parties to recover every one of these lots of cattle.

1183. The military were constantly employed by these expeditions into the Caffre country?—That they were frequently employed there is no doubt, they were continually employed (I mean those who were on the immediate line of the frontier) on patrol; they were continually passing along the boundary of the colony to observe whether there might be marks of cattle having crossed the main roads, and follow such, and to intercept any cattle they might by chance observe while being driven from the colony.

1184. How many expeditions do you imagine to have taken place during the year into the Caffre country to recover cattle?—I really cannot tell, but I can tell this, that during the whole time I was on the frontier, three years and a half, there was but one commando, properly so called, that is, a joint assemblage of burghers and military force, for the purpose of enforcing the restitution of cattle; there were other commandoes, but they were set on foot to defend the Caffres and Tambookies against the inroads of other nations.

1185. Do you mean to say that there were incessant robberies going on of colonial cattle, and only in one case the military were employed?—No, I particularly explained what I considered to be a commando; a commando is the joint assemblage of burghers and the military force in considerable numbers for the purpose of punishing the Caffres for depredations, or forcing the restitution of stolen cattle. There were frequent military parties that went in for the purpose of recovering cattle, or demanding the restitution of cattle.

1186. Do you know how frequently these military parties or expeditions took place into the Caffreland?—I cannot tell, I was not there in a military, but in a civil capacity only; the frontier was in some cases 70 miles, in others 40 or 50 miles away from me, and what may have happened on the immediate frontier I could not know; very frequently, indeed, I have reported the loss of cattle; (such losses were always reported to me as chief magistrate, and I forwarded the reports to the commandant); I may have heard that 30 or 40, or 50 or 60 head of cattle may have been taken in any one day, as many may have been reported, and perhaps recovered, or the Caffres have sent out cattle in their stead; or on the other hand, the cattle may have been forced from the unwilling Caffres.

1187. Please to continue your description of the changes of policy which have taken place towards the Caffres?—On General Bourke assuming the government he changed the system by which reprisals were to be made. He directed that when cattle were stolen they should be followed by the proprietors, or by as many people as might in the hurry and haste of the occasion be got together, either by himself or some field-cornet, when the track or spoor of the cattle would be followed till they arrived on the Caffre boundary; they were then on no account to pass the boundary, but they were to proceed to the nearest Caffre kraal; when there, they were to demand that the track or spoor of the cattle should be followed up with a view of recovering those actually stolen. I will read a memorandum I have before me on the subject of a system of what may be called forbearance, but it was a very mischievous one for the

the colony, and I would say, as far as the interests of the colonists were concerned, it was carried to a criminal extent.

1188. You mean the system under General Bourke?—Yes. If the robbers with their plunder were followed, an attempt was to be made to apprehend them, but no gun was to be fired except in case of resistance. Thus the Caffres would continue to drive off their cattle (the stolen cattle), and the losers must, by patience and forbearance, only endeavour to recover them (so says the proclamation.) If this be done by firing at the party, and death ensue, then is the person offending this regulation to be subject to a trial for manslaughter. The party following was not on any account to pass the boundaries, but to leave the track, and proceed to the first kraal, and there demand that the plunderers should be followed up. This demand was almost invariably left uncomplied with, as the chiefs who might follow would thereby excite an ill feeling towards themselves; expostulations from the Caffres themselves were made on this point, and nothing thereafter was done; the Caffre chiefs would not follow in their spoor. It is needless to say that no cattle were, after a time, recovered by these means; and as to the regulation, in my opinion so very absurdly framed, the colonists might doubt the legality of attempting the recovery of their own property. They were obliged to submit, and the Caffre depredations were carried to a greater length than ever: such was the law that yearly brought much loss on the inhabitants of the immediate frontier, and which was continued until 1830, when the impolicy of the measure was made apparent, and the old system, with some modifications, was again resorted to by order of Sir Lowry Cole.

1189. Might a deputy field cornet order a military expedition to go out upon his authority for recovery of cattle into Caffreland?—That may have been customary at one time on the frontier, but on the military occupation of the frontier by soldiers, the boor or farmer, the field cornet or the deputy field cornet, as the case might be, when he had followed the cattle to a certain distance, and finding that they had passed the frontier, he was bound to go and make his report to the nearest military station, as he could not of himself go further. I am now talking of the regulations for the country immediately fronting the British settlers.

1190. Are you quite sure that that was the fact, that Sir Lowry Cole did not, in his proclamation, give authority to the deputy field cornet to order out an expedition to enter Caffreland?—That order of Sir Lowry Cole was given, if any such were given, after I left the colony. I am talking of the principle on which we acted during the time I was on the frontier.

1191. In what year did you begin to be landrost?—In 1825.

1192. That continued till what time?—I continued on the frontier till October 1828.

1193. When you first entered on the duties of the landrost office, was there much robbery of cattle, was there a robbery every week?—Speaking in general terms, I would say yes; I never knew of any period of absolute peace and quiet on the frontier.

1194. You cannot speak of your own knowledge beyond that period of 1828?—Oh yes; I can speak beyond the period when I left the frontier, because being in the situation of military secretary, I was in weekly communication with the commandant on the frontier, I knew therefore of every movement he made, and the cause of the movement.

1195. Do you consider that the original boundary of the Fish River was objectionable?—Most decidedly; it is perfectly untenable. The lower part of the Fish River passes through a very difficult thickly wooded jungle country, that gave shelter in former times to great numbers of elephants, the only tracks through this country; the original tracks were elephant tracks; the thick bush occupies an area of very nearly 300 square miles. When the Caffres get into this country it is perfectly impossible to find them and to drive them out; from thence they sally and make their incursions on the colonists with almost perfect impunity. Had the arrangements of Sir Rufane Donkin—the proposal of Sir Rufane Donkin, taken place to colonize the ceded territory—had these arrangements been allowed to be acted on or continued, there would have been some protection for property on the frontier.

1196. That would have been incompatible with the treaty made?—The treaty was broken in upon by allowing the Caffres themselves to return; it was a most impolitic measure the allowing them to return at all, for if you have a bad frontier it is natural—it is necessary to improve it. Had this country been occupied, there is no doubt whatever but the Caffres would have been restrained: It would have been

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been much more humane to have taken possession of that country, for the allowing it to remain unoccupied was one of the great causes of the depredations. It was a bone of contention, being unoccupied, between us and the Caffres, and it was perfectly impossible to watch it narrowly; they came over at all times, and in all parts, and made their inroads without being seen, and without the possibility of being seen, into the colony.

1197. Do you think that, if we have an inconvenient military frontier, that we have a right, for the purpose of improving that in a military point of view, to make any encroachment whatever on the property of the natives?—I would answer that by telling you to look back to the history of the world; where have you found that when people have power, they have not used that power? The settlers were brought to that country—sent to that country by government; and it was right and it was proper that the situation of these settlers should be rendered as defensible and as secure as possible. I talk of this particular case—I do not talk abstractedly; there are many things which civilized beings do which are not to be defended.

1198. But reverse the case; supposing the Caffres found it convenient to make an encroachment on our property, and had come in for any purpose of their own profit for the recovery of their own property into our country, should you not have deemed that such an aggression as would have justified the declaring war upon them?—I think I understand the question; if the Caffres came into our country it is very clear that we should try to defend ourselves. The present attack of the colony is a case in point; they have come into the country, they have murdered with savage fury every body they have caught; I say in doing that, (I do not speak now of any reason they may have for entering upon this war,) they show thereby their characters, which I know to be blood-thirsty, savage beyond measure. I have made myself acquainted as much as possible with the nature of man, and the nature of man in all countries, and I do not believe that there is a more desperate character, a more blood-thirsty character in existence than the Caffre. I think that the New Zealander is not worse than he is.

1199. You think, then, that in the encroachments that we have committed on the Caffre, on his territory, that we have only followed the example of civilized men in all parts of the world; wherever he has power, and his neighbours are weak, that encroachments for his convenience are constantly made?—I cannot go as far as that—I cannot answer that question; for in the question you assume that facts have taken place which I do not admit. I cannot allow that; you may call them encroachments if you please; those persons, those Caffres, are themselves intruders in the country that does not and did not belong to them half a century ago. They are more intruders than we are. Our object may have been to civilize, at all events to make the colony as available as possible; but I do not consider that we are intruders on them, they are intruders on the land of the Hottentots.

1200. We found them in possession of the country, did we not?—We occupied the country of the Fish River as early as 1773; they drove the colonists out of that country. The fact is, they are a greatly increasing nation; from a small and insignificant horde, in the course of 140 years they have become extremely numerous, living on cattle, and increasing their cattle by every possible means; by theft and by breeding they have got a very great quantity, which it is necessary for them to find land to support. I think really that one of the principal causes of their present aggressions, or the war they have made on us, is to find more land to graze, to feed their cattle.

1201. But they having had possession of these fine tracts of country, their natural territory, in former times, having been driven into a corner, is it not natural for them and justifiable in them to desire to recover that territory that belonged to their ancestors formerly?—It did not belong to their ancestors.

1202. Did it belong to the British?—It did not; to the Hottentots.

1203. At all events, Gaika had as good a title to it as the British, and he had possession into the bargain?—I am not denying the fact of possession, but as to his title, that I question.

1204. Still, is not the title of the Caffre buried in some obscurity?—We know perfectly well that Gaika himself was born beyond the Kei—we know that; and we know that until after his birth the country on the west side of the Kei was only occasionally occupied by Caffres during some periods of the year; they never cultivated the grounds and built huts except for their herdsmen; they never cultivated on the right bank of the Kei possibly until during the lifetime of Gaikas's father,

father, but certainly not previously to that. Therefore it is not a country which was occupied by the ancestors of this people.

1205. You have spoken something of an intention to civilize the country and that that had in some degree promoted our encroachments in the Caffre country?—I spoke of the acts of civilized men in general.

1206. Do you think a nation has a right, on the grounds of intending to civilize a savage nation, to take possession of their grounds and cattle?—The assumption is so monstrous I would not for a moment entertain it. I cannot answer the question.

1207. Do you not think that we civilized men have, for some reason or other, taken possession of Caffre and of the land of the savage nations in South Africa?—There is no doubt of our occupying the country, I will say that I do not think there is more legality in our property as far as the Fish River than there is beyond it.

1208. What year did you go to the Cape of Good Hope?—In 1822.

1209. Will you state to the Committee what districts since 1822, which were then inhabited by the Caffres, have been taken possession of by the British Government?—I hear by the last account from South Africa of a country having been annexed to the colony which I know pretty well, having passed over it three or four times at different points between the Kei River and the Keiskamma.

1210. Is it within your knowledge that a portion of the territory was taken possession of by the British in the years 1819 and 1820?—I am aware that something like a treaty or arrangement was made between Lord Charles Somerset and the chief Gaika, by which military possession was taken of the country between the Fish River and Keiskamma, up to a certain point of the course of the latter river.

1211. Do you consider that if the Caffres had done to us as we have done to the Caffres, namely, sent continual military parties into our country during the three or four years you were landrost, that it would not so have exasperated us and our Government, that we should have made war upon the Caffres?—If I were by nature a plunderer and a thief, having some reason, and knowing the consequence arising from such acts, I should say, my acts make me liable to punishment, I therefore must take the consequence. I mean to say, that the Caffres, from the numerous depredations that were committed by them on the property of the colonists on the frontier, could not expect any thing but that attempts should be made to recover the property stolen by them.

1212. Do you think that the Caffre plundering in detail, as you say he did, while you were there, is a greater robber than the civilized christian Englishman who has plundered wholesale, and taken away the territory of those people?—I think that the Englishman, or the English Government, were placed in the situation of judges to adjudicate on the act of the robber.

1213. They were placed in the situation of judges, and they had to inflict a fine or punishment, but is it quite right that the judge should inflict the fine when that fine is to be to his own advantage?—It was not to his own advantage, I deny that positively, I declare that for every head of cattle taken by us, ten were taken by the Caffres during the time I was there.

1214. But as to the territory, you are not aware of any instance; are you aware of any instance in the last 50 years in which the Caffres or the savages had taken possession of European territory, and converted it for a series of years to their own benefit?—I am aware that civilized man has a very great advantage over the barbarian, that where he places himself, he generally places himself with some power, power sufficient to enable him to remain in his position, therefore I do not see the possibility of such a situation as is imagined. I do not think we, the English, are likely, when we do occupy lands, to be driven out again.

1215. Did you ever recollect a Caffre expedition into our country in which they seized at one time 30,000 head of cattle?—It is a matter of history, but I know that they did.

1216. That the Caffres did?—Yes, they carried off every head of cattle that was to be found on the frontier; they swept the frontier bare.

1217. Do you suppose that amounted to 30,000?—25,000 head of cattle, and 1,500 horses.

1218. What year was that?—1817.

1219. Are you able to speak to that fact of your own knowledge at all?—I had access daily to all the records connected with the frontier; I was chief in my office, and there would be no papers there kept from my eye; of course I had access to every thing, and I suppose those papers gave a faithful recital of all that took place; I know from them that what I now state to be the fact, is correct.

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1220. Are you aware, in the situation, in the military situation that you held there, of the promotions which took place in the Cape corps?—You are touching on very delicate and tender ground; I believe that those promotions, I think, at least, had nothing to do with the Caffre depredations, or very little; I know a great deal that would not be necessary to communicate to this Committee on the subject, but I know it in the same way, it is to me matter of history only.

1221. In the same way as you know the other facts you have been stating, from your access to documents?—I do know it; for my brother-in-law, Colonel Graham, was concerned, and deeply concerned in the business.

1222. You mentioned that the boundary of the Fish River was an objectionable one, was the boundary, acquired by the extension of our frontier with the Keiskamma, an improvement?—It was, inasmuch as it was, generally speaking, an open country; but it is a boundary that is passable in all places, it has no actual natural difficulties, it is passable at all points; it is however sufficiently marked and defined, and being in an open country, it is more easily defended and guarded, and therefore infinitely better than the former one; I mean that of the Fish River, which, if it were resumed, I would recommend that the government at home should send out ships to bring every Englishman from that part of the colony to England.

1223. Have you any local knowledge of the country which we are said to have lately acquired between the Keiskamma and Kei?—I have passed over it four several times, and by three different roads.

1224. Is it a fruitful country?—It is a very fine country.

1225. Do the Caffres possess large herds in that tract?—Yes, very large.

1226. It is in evidence that the Caffres had been dispossessed of territory; first of all of a tract 50 miles broad and 50 miles long; then another tract of 18 miles broad and 60 miles long, and lastly, according to the public sources of information, they have now been deprived of territory to the extent of 7,000 square miles; such being the fact, must not the inevitable consequence be that the Caffres must be reduced to very great extremity, and be compelled to commit depredations on their neighbours on all sides, for the purpose of subsistence?—As to the first slip of land that is mentioned, is the Committee alluding to the Zeureeveldt? if so, as the Dutch colonists had possession before the Caffres, and were forcibly expelled by them, I cannot admit that they, the Caffres, were dispossessed.

1227. When did the Boors get possession of that country?—They first occupied it in 1773, 1774 and 1775, or about that time.

1228. How did they get possession of it?—In the way they got possession of all other parts of the colony.

1229. How was that, by purchase or by military force?—I have heard that some part of the western portion of the colony was purchased; I have heard so; I have seen in books that it is so.

1230. Did you find any record in this office of which you have spoken, and in which you had access to all the papers, of any purchase of territory made by the Dutch or ourselves at that time?—I cannot say that I ever did see any thing in the shape of a record which spoke of purchases made by the Dutch from the Hottentots, except in a collection of papers laid before the House of Commons by the Commissioners of Inquiry.

1231. Do you, in point of fact, in the slightest degree doubt that the Dutch got possession of this property by force?—There is no doubt but that they got possession in the way that possession is got in all such cases; they placed themselves on the land, and as they wanted more they spread themselves gradually over the country; it is the natural operation of man in colonizing.

1232. It is the natural operation of man, but do you conceive it is just?—It is one of those assertions I should never make; I do not admit for one moment that man has a right to tyrannize over his fellow man.

1233. The Caffre being driven out of the fruitful land of which he was recently in the occupation, must necessarily retreat on other tribes?—Yes.

1234. And for his subsistence he will necessarily plunder those tribes?—Or those tribes will plunder and master him.

1235. At any rate he will be necessitated to attack them; therefore, will not the consequence of our extension of boundary be accompanied with very great injury, not only to the Caffres, who most likely deserve it, but also other tribes beyond them, who are not at all instrumental in their outrages?—Unquestionably the Caffres have been dispossessed of the country between the Keiskamma and the colony, but I would keep this country as a matter of expediency; our colony is there, and there it must remain, and unless we have that country we cannot exist; as a matter of

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of expediency I would keep that country; I say nothing about the latter acquisition, I will not even say that it is judicious, or that it is on the other hand right or proper. The revenues of the Cape are not very great, but the expense of keeping that country will be enormous; you may send over a vast population from England, or some other place, for the purpose of occupying that country; your present military force is not sufficient to occupy it or to defend it, and it must therefore be increased; and unless it is occupied, it will be the constant cause of warfare between us and the Caffres; it must be occupied in force or be given up.

1236. Do you conceive there is any probability that those distant tribes should combine with the Caffres for the purpose of committing aggression on our territory so far advanced, and so difficult of defence?—I know the contrary; I know the nations, the immediate neighbours of the Caffres; I have passed through them, I have visited the whole of the neighbouring nations; they will never unite with the Caffres.

1237. Are those the nations that will suffer by the retreat of the Caffres?—The Tambookies are peaceable good neighbours, and conduct themselves well and quietly to us, and have been useful neighbours too; I think they are not likely to be dispossessed of their property, for the colony would assist them, besides which, they are as numerous and powerful as the Caffres themselves; if they go further back they will meet with a very powerful chief, the chief of the Amopantees, who will not allow them to set a foot on his land; if they should pass through his land and go beyond him again, which they might do by his concurrence and consent, they would find unoccupied a despoiled country about 120 miles in extent by 40 or 50 in breadth; nearly 5,000 or 6,000 square miles perfectly laid waste and destroyed and depopulated, without a human being on it; this has been depopulated by the wars of the interior.

1238. Do you think the forcing back of the Caffres in the way we are at present forcing them, will not be likely to produce wars with those other chiefs to which you have alluded, and that in addition to the wrongs inflicted on the Caffres, we may not by those means perpetuate wars, and produce that extermination that you speak of, as having taken place in the most remote parts of the country, that we may produce that in the centre of the country?—There is no doubt whatever, if you dispossess those men, if you drive them back on others, there must be a collision between them. If they are stronger than others in war, then they exterminate and destroy them, or drive them further back; it is a natural operation.

1239. Is it not the natural and inevitable state of things, that we excite wars that may become wars of extermination among those natives, and by that means may ultimately depopulate that part of the country at present inhabited by those tribes?—That wars will be the consequence, or that differences between those and other neighbours will be the consequence of this there is no doubt, none whatever.

1240. Do you conceive that this last extension of our boundaries will diminish or add to the amount of evil which has been inflicted on the natives, by our intrusive dominion in the colony of the Cape of Good Hope?—There is no doubt whatever that a great deal of inconvenience will arise, a great deal of evil will arise, a great deal of misery probably will arise to those people, from having been expelled.

1241. In explanation of the question, do you think it will lead to the renewal of war between the Caffres and ourselves, and the frequency of massacres and the destruction of property on both sides?—Unless those men feel themselves in the quiet possession of their lands and property, they will become public disturbers, they will commit depredations on us and upon all the nations around them; the other tribes will rise on them, and either absorb them into their own body or they will massacre them.

1242. Do you consider sufficient territory still remains in the hands of the Caffres for their comfortable subsistence?—No doubt; if they choose to go beyond Umzemboobo, they will find a finer country than they occupy at present, more productive and better watered, streams more numerous, and capable of supporting a much larger quantity of cattle, which is now unoccupied.

1243. Then as we want accession of territory for our farmers, why should not our farmers do this?—They would be very glad, they would very readily go there.

1244. Would it not have been a more convenient arrangement that we should have left the Caffres in undisturbed possession of their own property, and have gone to this deserted land?—The present accession has arisen from their attack upon us. Upon my faith I declare, I do not believe that the British settlers of Albany had

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had any right to expect the conduct the Caffres have displayed towards them; I know that the British settlers were kind on all occasions towards them; I never heard of a well-attested fact of their having made inroads or aggressions upon them or their property; I am talking of the British settlers! They never formed any part of the commandoes that entered their country, never; those commandoes when made were always composed of the Dutch and the military, and when the Caffres were attacked, it is very true a considerable number of Englishmen, young enterprising men, did break through the custom which is general there, of not joining the commandoes, and went to assist in their defence; the English settlers were not generally capable of entering upon the duties of commando—they were not armed, they had but few horses; there was hardly one man in ten who had a musket, I believe before this last Caffre incursion. This conduct towards the Caffre nation certainly deserves a very different treatment in return from that which the Caffres have shown to them.

1245. You were not at the Cape near the time in which the late war broke out?—No.

1246. You cannot speak as to the points on which that war originated?—Yes, I can.

1247. Are you aware of a military expedition under the command of Lieutenant Sutton and Lieutenant Sparkes?—I believe the cause had its origin long previous to that.

1248. Do you recollect that?—No.

1249. You have said that, according to your view, the aggression has been on the part of the Caffres, the neighbours. You were asked in candour, if we had a Caffre officer sitting here, and we were asking him those questions, he would not say the aggressions and the cause of the wars had been on the part of the English?—I do not believe he would; he knows his people and himself too well.

1250. Are you aware of a letter that Macomo has sent to the commander-in-chief, stating in the strongest terms, that the war has originated in the encroachments made by the British?—If such a letter has been written, it has been written by some of the London missionaries; it is their act, and not the Caffres'.

1251. What makes you think so?—I believe it, I may say.

1252. Have you seen the letter?—No; I assume it as a fact that such a letter has been written; I say if it has been written, it was written by them.

1253. Do you believe it impossible a native should write a letter of that kind?—I do; I can positively affirm that Macomo can neither read nor write. If Macomo had been properly treated from the beginning, there would have been no occasion to expel him from the country he is driven from.

1254. You think the London missionaries have an opinion the Caffres have been improperly treated?—The London missionaries have put frequently such opinions into their heads.

1255. What proof have you of that?—The impression is on my mind that it is so; I could state circumstances that have occurred, which though they did not occur in my presence, yet I honestly believe to be the case; I believe that, and I allude principally to an occasion in which the chief Botman was concerned; I believe that Dr. Phillips told him plainly and positively, that he ought not to be satisfied with the arrangements of the government, that the country between the Fish River and Keiskamma was the property of the Caffres, and that they ought to get it; thus making the Caffres dissatisfied with the arrangements of the colony.

1256. You think it an offence in a man, more especially in a missionary, if he has strong impressions that justice is not done to the natives, to give them every facility in his power, and every encouragement in his power to obtain justice?—I say it is but right and just and proper that the missionary should, if he conceives the natives have been oppressed, do his utmost to remedy the evils; but he should not make them dissatisfied with the arrangements of government, by speaking out plainly that such is the case. I say it has, in my opinion, been very generally done by some of the missionaries, and therefore I say that much of the evil which has lately arisen to the Colony is attributable to them.

1257. Will you state the evidence you have to prove that Botman was stimulated by Dr. Philip to make demands that he otherwise would not have made?—It is impossible to know whether he would otherwise have made those demands or not, but this I do know, that my impression, I tell you my impression is, that a conversation, a public conversation took place between Dr. Philip and Botman to that purport, and is on record.

1258. Is

1258. Is it in your possession?—No; but it is on record.

1259. When did this conversation take place?—I cannot tell.

1260. Who was present at it?—That I do not exactly know.

1261. Then are the Committee to understand you make this charge against Dr. Philip?—I do not make it—well, I will make the charge.

1262. That charge you make against Dr. Philip is for language he held at a time when you were not present yourself, when you do not know who was present, and you do not know the date of that conversation?—I have been forced into an answer to the question; I stated my impression, that much injury had been done by some of the missionaries in making the Caffres dissatisfied with their situation.

1263. What is the record to which you allude, cannot you state to the Committee?—I believe that a report was made to government.

1264. Was the substance of that report this, that the natives, being dispossessed of a certain part of their property, Dr. Philip said to one of those natives, that it was improper that they should be so dispossessed; was that the nature of the conversation?—I said, that Dr. Philip had said to Botman, that the land on which he then was, was by right his; and he ought to recover it.

1265. That could not be so, you mean?—I mean the land on which he was then standing.

1266. That was some land he had been dispossessed of?—I presume so.

1267. Suppose you were in this situation, that you had a communication with a man who had been dispossessed of a field, and you said to that man, "You have been dispossessed of this property; I think you ought to possess it;" would you think that an offence, either for a christian or a man?—No, the case is different; the one case involved merely a disputed question of private property; here is a matter on which depends the comfort, safety and security of the frontier.

1268. The principle is the same?—I do not see that, abstractedly, the principle may be the same; but where a question becomes of importance, and involves the safety and interests of many thousand persons, it is then very widely different. I would say, that Dr. Philip, speaking openly in that way, forgot himself, and forgot what he was doing. He was not then the minister he pretends to be of religion, but he was the minister of——he was, in short, serving mammon, not his God.

1269. He was not the minister of religion, but of justice. He said to a man who was deprived of property, he ought not to have been deprived of that property?—He should privately, in my opinion, have tried to restore those people to their property, and not to have rendered the people dissatisfied, till he found no other means could be taken.

1270. Had you any other reason to complain of Dr. Philip for not privately doing what he could to get justice done to those people? Had you reason to think he did not do his utmost privately to obtain justice for the natives?—I do not know what he had done privately.

1271. Do you know that he had not done his best privately?—I do not know indeed; it is one of those things I cannot answer to.

1272. You just now said that it was not serving God, but mammon; do you mean to imply by that, that Dr. Philip was actuated by any personal or interested motive in the course he has taken with regard to that?—I firmly believe that was Dr. Philip's motive; that he has done a great deal to disturb the frontier; and that he has been influenced not by the best motives, or at least, if he has been influenced by the best motives, he has not gone always honestly to work to forward them.

1273. Be kind enough to state the facts to which you allude?—He has written a book, and that book will speak for itself; in that book there are many statements and many assertions which an honest man ought not to have made, to serve his own purpose; to become important in the eyes of a certain set in England, he has written that book, and he is disturbing the peace and quietness of that country by having done so.

1274. In the same way pretty much as the missionaries in the West Indies disturbed the peace and quiet of the colonies, and from pretty much the same motive?—I am speaking of things I know about.

1275. Have you got that book by you?—Every body has got the book; I dare say it is on this table.

1276. Could you specify to the Committee some of the particulars as to which you have in general said there were exaggerations and mis-statements?—Why, I know there were exaggerations; I know there were mis-statements; I know he

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was prosecuted for a malicious calumny on one of the public officers there; I know that he was sentenced to a very heavy fine in consequence.

1277. Does that refer to this book that you speak of?—It was out of this book that he was convicted.

1278. A libel published in that book?—Yes.

1279. Do you really believe that Dr. Philip got justice on that trial?—Yes, but less than justice.

1279.* Are there any other circumstances you can mention?—Yes; I will name another, in which I was myself concerned. Dr. Philip came into my office one day, and he thanked me for the kindness, the attention and the humanity I had always displayed towards the Hottentots; and as I had always proceeded on one principle, that of fairness and justice to them as men, I took the compliment in good part. When the book came out, to my astonishment, after the praise he had given me, I found a direct attack upon me on the very circumstance he had praised me for.

1280. Can you state to the Committee any other particulars bearing on the charge of exaggeration and mis-statement in this book of which you speak?—Oh, I could not now go over a work of that kind; I know that there are, but I do not remember them at this moment.

1281. Are the Committee to understand the case to which you alluded, the libel for which he was punished, was the most striking case that occurred to you?—I do not say that it was the most striking; I merely introduced that, because the libel was proved in a court of justice against him, and he was fined accordingly.

1282. You do not recollect at this time any other particular instance of exaggeration or mis-statement?—I really cannot at this moment, in any particular.

1283. You stated that you had an impression that a certain conversation had been heard between Dr. Philip and one of these Caffre chiefs; did you state to the Committee your reasons for that impression?—I stated the circumstance was communicated to the government.

1284. Do you know that of your own knowledge?—I believe it.

1285. Is it hearsay or direct evidence?—I have seen a copy of the letter, a report of a conversation between Dr. Philip, the missionary, and Botman, a Caffre chief.

1286. Have you any objection to state who was the author of that letter?—I must consider for a moment, because if I state who the author was—if I might be allowed to state who the author was—I might perhaps as easily give a copy of the letter; but that it exists—a copy of the letter—I vouch on my honour and faith.

1287. But the question is whom the letter comes from?—From an authority.

1288. Was the substance of that letter ever communicated to Dr. Philip, and was he called on to vindicate himself from it?—I cannot tell.

1289. Are the Committee to understand that this copy of that letter to which you allude is the only reason for the impression you have formed as to that conversation taking place?—That copy of that letter—yes, that is the only reason.

1290. Do the Committee derive a just inference from the animadversions you have made on Dr. Philip's communication with the native chief, that you consider a missionary mixing up political topics in his intercourse with the natives whom he professes to christianize, acts inconsistently with his primary duty as a missionary?—Most certainly; but for that impression I should not have said a word against Dr. Philip.

1291. You think missionaries have been useful in the Cape?—Some have. I think the Wesleyan missionaries have done wonders, more than possibly could be expected from people in their situation. I have the highest opinion of them and of their usefulness. I was in almost daily communication with some of them; their works, their acts, and their discretion bear me out in my opinion, and the influence they seemed to have over the Caffres in restraining depredation and plunder to a certain extent. Mr. Shaw, who was before the Committee, has done more than it is possible to imagine any human being could have done; he has kept in due and proper restraint some 10,000 or 15,000 people, by the most discreet conduct on his part; but the missionaries further to the north, what have they done? I believe they have hardly christianized a single individual; they have no influence whatever over the minds of the people they have been amongst.

1292. Which do you mean; what class, what establishment of the missionaries?—The

—The Wesleyan missionaries have better materials to work upon than those further to the north, among Gaika and Gaika's sons, and his people.

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1293. Whom do you allude to as the missionaries to the north, who have done nothing?—I am talking of those in Caffraria.

1294. What description of missionary did you refer to?—I am talking of those immediately on the frontier of Albany.

1295. Of what denomination?—There are some Wesleyans among them, some Glasgow missionaries, excellent and good men; they have done every thing they could possibly do, yet they have done nothing; the seed has fallen on an unfruitful ground, and nothing has been effected.

1296. It is the fault of the field, not of the labourer?—I am not talking of the labourers; I have the highest opinion of them. Mr. Thompson, one of the best men on the frontier, has done what was possible for a man to do, but he has done nothing which, from its results, can be seen.

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*Veneris, 28° die Augusti*, 1835.

## THOMAS FOWELL BUXTON, ESQUIRE, IN THE CHAIR.

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Captain *Richard Blakeman*, called in; and Examined.

Capt. *R. Blakeman.*

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1297. YOU were a captain in the 54th regiment?—I was.

1298. Were you quartered at the Cape of Good Hope?—I was.

1299. In what year did you go there?—We arrived in Simon's Bay at the Cape of Good Hope, on the 1st of June 1819.

1300. How long did you remain at the Cape of Good Hope?—I left the colony about September 1822.

1301. Were you quartered upon the frontier of the colony?—I was on the extreme frontier; I commanded there.

1302. At what point?—Willshire Fort; as soon as it was completed, I had an extensive command from the sea to the Winterberg.

1303. State what took place, with regard to the treatment of the Caffres, during the time you were in that command?—As soon as Willshire Fort was built, I was ordered to command there, having a patrol of 200 troops, half cavalry, half infantry; but the cavalry were not sent, in consequence of the horses being sick. I was to keep parties out constantly on patrol, to shoot all Caffres, armed or not, that entered the colony.

1304. Were your instructions that your men were to put to death the Caffres, armed or unarmed, whenever they met them?—Most pointedly, and pointedly repeated were my orders; the Colonial Office has not only my reports on such communications, but documents to prove those reports.

1305. Did any of your men, during the time you were in command, obey that order, and put Caffres to death?—I have no qualification to that answer; I shall give it direct. I promulgated those orders, reading them most expressly, and enforcing them on the men; notwithstanding that, I trust I need not mention the officers' names, which I fear I must do to be correct.

1306. If you can avoid mentioning names, it is better; the Committee do not wish to have any thing personal, if they can avoid it; if it comes before them, they will not refuse it?—At present, then, I will dispense with officers' names; there was a captain, nearly of as old standing as myself, had used to give those patrols beads and buttons, with the intention, and which he actually did, of luring the Caffres into the colony; he getting an ox for about 25 buttons, or for a few strings of beads and ivory, in proportion; and being accused of it, when my orders were so express, that I should send other parties out; and certainly, according to the reports, the official reports, I doubt not the creatures were shot while they were giving their cattle or receiving the baubles; this was reported, and this was proved, by documents forwarded to the commandant, Major Jones.

1307. Is that officer to whom you allude alive now?—He is dead.

1308. Did you state this officially in your report to Government?—Most directly to the commandant on the frontier, Major Jones; and I have every reason to believe, from the general orders or observations communicated to the frontier from Sir Rufane Donkin, that he knew—in short, I am convinced he did, from the

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reports promulgated, particularly as Colonel Daniel wrote to me to reprimand the lieutenant.

1309. Were you employed at any time under the command of Lieutenant-colonel Willshire?—Particularly so; Sir Rufane Donkin, then in communication with Willshire Fort, ordered Major Jackson to command there; Colonel Willshire had objected to it, saying I was an experienced soldier, who had gone through every gradation, and he thought extremely zealous, and that I should be more fit for that duty; consequently I was sent there, and Major Jackson not.

1310. During the time you were under the command of Colonel Willshire, were you employed by him in making an attack on a Caffre village?—Yes, most particularly.

1311. Will you be kind enough to state all which occurred?—One evening, I forget the date, but I imagine about four or five o'clock, Colonel Willshire sent to my quarters, and told me to be ready to march that night, at about seven o'clock, into Caffraria; that I was to take the command of 200 men, to ambush three Caffre kraals. I went to Colonel Willshire himself, when he was repeating his directions to me, but, fortunately for me, he observed, "I will go with you myself." We commenced our march about seven o'clock, crossing the Keiskamma River; he brought two Caffre guides with him; we arrived at the first kraal I should imagine about twelve, or one or two o'clock, in the desert; having no watches I cannot be exact as to the correct time, when Colonel Willshire observed to me, "Captain Blakeman, load every third man;" I did so; "now," says he, "take, I think, 70 or 75 men, and place them under the command of Captain Coote, or the next Captain in command, next in seniority to you."

1312. Had those 75 men all loaded muskets?—There was a proportion of them arrived only.

1313. You took a third of the men as they stood?—Yes; there were orders most expressly given and pointed; Colonel Willshire addressing me, though Captain Coote stood as near him as I was, "Captain Blakeman, you will order Captain Coote to lie in ambush as close as he can lie, and on no account is he to make any alarm; wait for daylight, and when there is daylight sufficient for him to distinguish men from women, he is to rush into the kraal, bayonet the men, but take care of the women and children."

1314. What occurred after that; were those orders carried into execution?—Yes; as soon as he gave these orders, we marched immediately to ambush the second kraal, which was intended for a small party, it being a small kraal, but the guides, through some mistake, came right into the centre of the kraal, instead of leading them to ambush; in consequence, there was a rush of the Caffres took place, when one of Colonel Willshire's party fired, and shot a man dead, for I saw him dead. It was ascertained I believe afterwards that there were stolen cattle there; after this Caffre was shot, Captain Coote, just across the ravine, commenced an indiscriminate firing on the people that were dancing round the fire in a state of nakedness, men, women and children. It was Colonel Willshire's party that gave the first fire, but the others kept it up in a most random manner for a considerable time.

1315. Were women and children killed in the attack made by Captain Coote?—There were; I saw two children brought in wounded. This alarming the Caffres, we had nothing to do but to visit the extreme kraal to collect the cattle; those cattle had been stolen, and, as I understood, murders committed by the Caffres; they stopped, and fired the whole of the huts, after collecting the cattle; the cattle were sent about eight o'clock, but the party were detained for five, or six, or seven hours afterwards; but when we returned with Colonel Willshire, Colonel Willshire was apprized; he had heard the shots, but he did not know the effect, but he was informed that men, women and children were shot, and that a Caffre woman was thrown into the fire of her own hut. Captain Coote commanded this party that had so fired. Colonel Willshire immediately wrote to him, as he told me himself—I did not see it—to state in writing most particularly why he fired against orders, and to state most particularly what he knew of the report of a Caffre woman being thrown into the fire alive. On my return home—I had been on duty absent from home about 30 hours—my wife met me at the door, exclaiming, "Good God! what have you been doing? a Caffre woman has been ill-treated, and thrown into the fire alive by a lieutenant;" this lieutenant was passing my door at the time; I called him in, and put these questions to him. The first question, "Did you throw a woman into the fire?" Answer, "I did." Second question, "Was she dead?

dead?" Answer, "Yes." Third question, "In what part of the body was she shot?" Answer, "In the knee." Question, "Had she any other wounds?" His answer evidently implied, not that he knew of, or a confession, and no direct answer to it. Fifth question, "Why did you throw the Caffre woman into the fire?" Answer, "To prevent the wild beasts from devouring her." I made in my communication an observation of every thing the Caffres did, not only to their dead, but also, I was informed, to their dying.

1316. Is the lieutenant in question alive or dead?—He died a captain; he was promoted; he was intoxicated, I was informed in the official letter that Captain Coote, who commanded this party, wrote to Colonel Willshire; he stated, that he was informed a Caffre woman had been thrown into the fire, but that she was dead. This report, I cannot say what report, but there was such a report sent to Sir Rufane Donkin at Cape Town, as occasioned him to communicate something to Colonel Daniel, my commanding officer; and he sent me a very strong reprimand to communicate to the lieutenant, which I gave him.

1317. Was any sort of inquiry instituted into this transaction?—There was not; which my papers particularly observe, in my correspondence with the colonial secretary in London, there was no inquiry.

1318. No inquiry, either of a civil or of a military nature?—No.

1319. You said that beads and buttons were given to the Caffres, to induce them to come into the colony?—Given to the soldiers sent out to shoot the Caffres, if they crossed the river, to lure them in, which they did.

1320. Were you engaged in shooting the Caffres that were thus enticed into the colony?—I did send other parties out when I got my information from Dr. Fynam. I did send parties out to carry into effect the orders I had received; my orders were express, and very pointed.

1321. Were the Caffres absolutely shot who had been seduced and enticed into the colony by these means?—I received frequent reports that they were shot, but, officially, to the amount of four or five, which I officially communicated to the commandant on the frontier.

1322. Were those Caffres who had been enticed into the colony that were thus slaughtered?—I never saw it with my own eyes; but officially, from the different parties that went out, I received official statements of four or five being shot, which statements I forwarded. I believed them, and I believe they were believed at head quarters.

1323. Have you good reason to suppose these four or five Caffres who were shot had been allured into the colony for the purpose of being so shot?—I do believe it.

1324. Can you state the dates of the transactions you refer to?—I cannot state them.

1325. Do not your reports exist in the office?—Yes, in the Colonial Office; every thing I have stated has been received from me.

1326. The dates, then, would appear on the official reports?—Yes.

1326.* Do you mean that the papers are in the Colonial Office in London, or in the Colonial Office at the Cape of Good Hope?—At the Colonial Office in London; the correspondence so long going on abroad, between Lord Charles Somerset and Sir Rufane Donkin, occasioned the reports to be constantly going.

1327. You are convinced the reports are in the Colonial Office?—Yes, and if they are not to be found there, I think I can point out where they are to be found.

1328. Did you consider your orders so imperative upon you, as that if you had known individual Caffres had been lured over the border in the way you describe, you would have felt it your duty to shoot those who had been so tempted?—I followed my orders in sending out patrol; I felt much, but the idea of duty superseded every other idea in my own mind.

1329. If you had been in the command of the country, and knew that individual Caffres had been lured over the border, should you have felt it your duty to have shot those individuals?—No, I should not.

1330. Did you send your despatches direct to the Colonial Office in this country?—Yes, since I came home, through Lord Fitzroy Somerset, military secretary.

1331. Did you make reports of these transactions to the government in the colony?—I was under command; I made reports to Major Jones, and it was his duty to report to the government.

1332. When did you send them to the office here?—I had a long correspondence for three or four years, when Lord Charles Somerset came home under accusation;

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I then stated all these occurrences, and sent them to the military secretary, and they were forwarded by him to the Colonial Office, as I was informed.

1333. Can you, by reference to your papers, discover the period at which you sent the report of the attack upon the Caffre villages?—I think I can if I had the papers, but they were taken from me on the 3d of October 1831, with my orderly book.

1334. Have the goodness to look at that letter, and state whether that is your hand-writing, and whether it will refresh your memory in any degree—[*a Letter being shown to the Witness*]?—Yes, I remember that date extremely well, it was my first correspondence with Mr. Parker; it is essential placing my letter on the Minutes of Evidence, for at that date I had the papers and orderly book in Limerick.

1335. Does that give you the date?—Yes, when I was sent out with the 200 men, when I accompanied Colonel Willshire on that duty, was the 16th of August 1821.

1336. When you say your papers were taken away from you, was that in the ordinary course of duty?—No, I was put into custody; I apprehend Sir Frederick Roe can give some information upon that.

1337. On what ground did they take your papers?—On the ground of insanity, as though I was insane, which I believe it will be proved I never was.

1338. Your papers never were restored?—No, my orderly book and every thing, and other memorandums, very extensive ones, were taken from me.

1339. Were you placed in confinement for any considerable length of time?—I was confined first of all in Mount-street establishment, I believe called the hospital, where I was six weeks afterwards; I was taken out with a pretence of taking me to the bank to receive money, and to be liberated, when I was taken to Hanwell Asylum, and there remained 10 months, from the 3d of October 1831 to the 3d of November 1832; I was between the two establishments 13 months in confinement.

1340. Were you ever in confinement on a similar ground at any other period?—No, never; I am convinced there is evidence to prove I never was insane.

1341. Have you conclusive evidence to prove that this charge made against you of being insane was groundless?—I think so, on investigation, I have no doubt it will be proved so.

1342. You were placed between the Fish River and the Keiskamma?—I was.

1343. That territory had been taken from the Caffres?—It had.

1344. It was denominated neutral territory?—It was.

1345. Were you present on any occasion in which a chief of that district earnestly supplicated to have some portion of the land assigned to him?—I was.

1346. What was the name of that chief?—King Gaica.

1347. What was that petition?—He repeatedly made application to get some tract of ground where he and his other captains had been reared, but more particularly to have permission to graze his cattle on the neutral ground, stating that King Slambie had driven him from all his ground in the rear, and that his cattle were starving.

1348. Were you personally present when Gaica, in the most earnest and abject manner, prayed a small portion of his own territory should be restored to him?—This I wish to qualify by giving what is more tantamount, and which I am more certain of; he was constantly making this application—I was the commanding officer, but on this occasion the commandant of the frontier, Major Jones, was there,—that his cattle were starving, and he begged, prayed and urged that he might be allowed to graze in the neighbourhood of his own kraal, and constantly did he, on behalf of himself and his captains, make an application for ground where they were bred.

1349. Do you know this fact of your own knowledge, and with your own hearing, or was it communicated to you from some other person?—I heard it on one occasion, but frequently it was communicated to me.

1350. You heard King Gaica himself on one occasion earnestly supplicate and entreat for a portion of his own land to be restored?—I will qualify that by saying I think, to the best of my knowledge, but I could swear most positively that he begged and prayed in the most earnest manner that permission to graze on that frontier might be allowed him, as there was no grass near him, and his cattle were starving; a day or two after this my orders were so peremptory, that I seized 50, 60 or

60 or 70 head of cattle so grazing, and sent them in as government property to Graham's Town. Capt. R. Blakeman 28 August 1835.

1351. Were they ever restored after that?—I believe they were a fortnight after, but my orders were express.

1352. Are you aware of Lord Charles Somerset having entered into any treaty with the Caffre chiefs, that the territory between the Great Fish River on the west and the Keiskamma on the east, should be neutral?—Yes, Lord Charles Somerset did, as I am informed, enter into a treaty that that was to be neutral ground, not to be occupied by either party.

1353. Was that treaty observed?—It was not, as large locations were established on the neutral ground that is between the Great Fish and Keiskamma Rivers.

1354. By whom?—By Sir Rufane Donkin, after Lord Charles Somerset left.

1355. You state that Sir Rufane Donkin established large locations?—As I was informed, it cannot be doubted, it was so generally known.

1356. If Sir Rufane Donkin established large locations (in the plural number), be so good as to give the names of those locations, and state where they were placed?—Between the two rivers, the ground was very extensive; I cannot take upon me to say I never furnished papers about the settlers, but on my frontier duty I was closely confined to that duty.

1357. You state that Sir Rufane Donkin violated this neutral territory by establishing several large locations (in the plural number)?—So it was considered by all.

1358. But you do not know that of your own knowledge?—No.

1359. Did you ever hear of a place called Fredericksburg, established by Sir Rufane Donkin?—No, not particularly; I can enter into no further particulars than my general information leads to; I had my duty to perform.

1360. You never heard of a location formed by Sir Rufane Donkin called Fredericksburg?—No.

1361. Consisting of disbanded soldiers from the Royal African corps?—I remember a large establishment going out to the officers of the African corps; they went to locate, and I believe some of the disabled soldiers, but what part of the country, any further than between those two rivers, I know not, for I was never in that neighbourhood.

1362. Your statement that Sir Rufane Donkin's having violated this neutral territory by placing large locations (in the plural number), rests solely on hearsay, and not on your own knowledge?—Yes, certainly, except that I know they were established there.

1363. You appear to have known Gaica, and to have communicated with him?—I did know him well.

1364. Did you ever learn from him that Sir Rufane Donkin established this post of Fredericksburg at Gaica's own request, and with his entire approbation?—No, I was always led to believe differently.

1365. Do you not know that one of the leading rules of that establishment was, that it should not be a cattle station, that there should be no cattle to tempt the Caffres, but that they should cultivate corn, and be an advanced post, to prevent the Caffres entering our territory?—No.

1366. You know nothing about those locations but from hearsay, which hearsay conveyed to you no information about Fredericksburg?—No.

1367. Are you aware that by the treaty of 1819 the Caffres agreed to give a portion of their cattle for the restoration of that neutral territory?—No, I never knew or heard a word of that, they had to give an indemnity for the 20,000 head of cattle, to indemnify the farmers, as compensation for the cattle that were stolen.

1368. Are not you aware of the treaty of 1819?—No further than was merely communicated; I was not of course one in authority, that was on the staff, or any thing of that kind.

1369. Are you not aware that it was made one of the terms of the treaty of 1819 that the Caffres were to give a portion of their cattle for the restoration of that neutral territory?—No, I always understood that the army seized cattle to the amount of 20,000 to indemnify the farmers for those stolen.

1370. Do you know any officers who were engaged in the negotiation of 1819?—No, I do not.

1371. Do you not think that Sir Rufane Donkin, had he established a number of locations on this neutral territory, would have violated a solemn agreement made with Gaica?—Yes, I should think so.

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1372. Was Sir Rufane Donkin a sort of man to break faith with a Caffre chief, or had he the character of being tolerably honest in his transactions?—I am of opinion that Sir Rufane Donkin was considered a conciliatory man.

1373. An honest man, or otherwise?—I should say so: I believe not an honest man in existence could give universal satisfaction to the general wish of the locators at the time.

1374. The question goes to the character of Sir Rufane Donkin as to honesty and integrity, and whether or not you think him a man likely, from his general character, to violate a solemn agreement made with one of the Caffre chiefs?—I have heard general talk that it was done in many transactions, particularly by the locators that made application for grants; I have heard a general complaint.

1375. The question respects the general character of Sir Rufane Donkin?—I had the duty of a soldier to attend to; I had nothing to do with locations.

1376. Do you, of your own personal knowledge, know any transaction in which Sir Rufane Donkin was engaged, which impeached his honour, integrity or veracity?—No.

1377. You are not aware of any further facts bearing on the subject than those you have given in evidence to the Committee?—No.

1378. Are you acquainted with the hand-writing of General Darby?—I am.

1379. Is that letter in his hand-writing—[*a Letter being shown to the Witness*]?—I am sure it is, I have a copy of it.

[*The same was delivered in and read, as follows:*]

Dear Sir, Clifton, Dec. 20, 1824.

I have received both your letters, and lest my silence might have the appearance of reluctance to bear testimony as to what you say concerning Captain Blakeman, formerly of the 54th regiment, I feel not the smallest difficulty in assuring you that whilst he was under my command, which was the whole campaign in Egypt, and afterwards for three years in garrison at Gibraltar, that he was considered by all as a very humane, deserving officer, extremely correct in all matters that came under my observance, and that I shall feel great pleasure to bear testimony to it whenever his veracity may be called in question. I do not understand the point in question, nor do I wish to have any thing to do with it, not doubting but those persons to whom government have thought proper to intrust power, they had perfect right so to do, and at so great a distance from them, knowing so little of the truth of all the circumstances, we are enabled to form no accurate judgment of the transactions. My dislike to enter upon a subject of which I know but little, prevented alone my replying to your first letter, and which the fear of my not answering your second might be prejudicial to Captain Blakeman, makes me do now. I beg my compliments to all your family,

To Wm. Parker, Esq. And am, very truly, yours,
Passage West, Ireland. (signed) *C. Darby.*

Exclusive of this character, Major Jones, a friend of Sir Rufane Donkin, wrote in general orders, returning me the highest thanks, and Colonel Willshire the same.

Captain *A. Stockenstrom*, called in; and further Examined.

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1380. WHAT paper is that in your hand?—I have throughout my evidence tried to impress upon the Committee what my view of the frontier system has always been. I gave it as my opinion that we were punishing the innocent for the guilty, and that by adhesion to this system we had brought the present misfortunes on the colony. A gentleman present in this room, unconnected with the colony, hearing my evidence, has put into my hands two papers, received from an officer from the Cape of Good Hope, now I believe on the governor's staff, which is so confirmatory of my position that I should merely wish to read the passage to the Committee, and the Committee may make whatever use of it they think proper, because it was given to me with *carte blanche* to do with it as I please. This is a letter dated Cape Town, 20th of January 1835, written by Captain Alexander, sent out by the Geographical Society (as I have been informed), now on the Governor's staff; it is a very short passage. He says, "The cause of the irruption of the Caffres is simply this: the old commando system; thieves and bad characters among them plundered the settlers; occasionally the commandoes proceeded to the nearest kraal (innocent of course, for the guilty were far in the interior), and took from it cattle equal in number to those stolen. Human nature could not stand this." Here is another letter, dated 10th March 1835, in which the same officer says, "There is a great outcry here against the missionaries; the blame is laid on them for having occasioned the present war. I think they have had very little to

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do with it; we must go back to 1811, when the Caffres were driven by the commandoes from their purchased territory, from the Sundys to the Great Fish River, an extraordinary treaty made with Gaica in 1817, who was considered improperly as the head of the Caffres on this side of the Buffalo River, the fine pasture between the Fish and Keiskamma at one time allowed to be occupied by the herds of the Caffres, and then their huts burnt off the land. Macomo has been served in this way three or four times. A few new settlers here, unacquainted with the Caffres, petitioned the governor to reduce the Cape corps; it was reduced, and 250 men only left to defend the whole line from the Winterberg to the sea." This confirms what I have stated, that our reprisal system, and the blood shed in consequence, has proved the misfortune of the frontier.

1381. Did you, when you returned to this country, communicate with any individuals, and give them the information that you had collected in South Africa, or did you reserve your communications for Government alone?—In common conversation, whenever the subject of Southern Africa was upon the carpet, I expressed my sentiments, as every individual had a right to do, both for and against; but, notwithstanding being repeatedly requested to assist in bringing forward the colonial and frontier system, I invariably declined; and though written to over even to the continent three or four times, my answer was uniformly that I had stated my sentiments to the Government; that as a Government servant I had candidly given my opinions when I agreed and also when I differed with that Government; that to that Government I was responsible, and that when officially called upon I should most undoubtedly not shrink from repeating those sentiments, but should never lend myself to any party of any kind against either the Government or any body else. I may also add, that when I came to this country I had letters of introduction to some influential men, which are still in my possession. One of them only I delivered, because it contained business, but I delivered it without even leaving my address, being determined to meddle with no party; and with the gentleman to whom this letter was addressed I had the honour of subsequently becoming acquainted through other means. I abstained, from first to last, from joining in any thing that could by any construction be called combination, collusion or faction, as well in the colony as in this country. Temptation enough there was; it is known how high party spirit runs at the Cape; but let any man come forward connected with the press, or with any other body or set, private or public, to say that up to the moment I left that soil I had, directly or indirectly, by word or deed, printing or writing, stated one iota to the annoyance or embarrassment of any authority or power whatever. My sentiments were invariably given to the Government direct; from them I never shrunk, and never will.

1382. Was it not repeatedly intimated to you, that Mr. Buxton was desirous of obtaining your information as to the frontier system, and did you not decline giving it to him as an individual, saying, that the information you had was at the disposal of Government, you were their officer, and did not think it right to communicate to individuals?—I must particularize. I left the colony in possession, I believe, of two strong letters of introduction to Mr. Buxton, which were pressed upon me. I came to this country, and the moment I arrived I delivered one of those letters at the door of Mr. Buxton, because it was on business, and had a parcel attached to it. Mr. Buxton is in the chair, and will admit that that letter was left without my address, for I was determined to connect myself with no party whatever, but as a public servant to adhere to my duty to the Government, to whom however I had not the slightest intention of, in any way, sacrificing my duty to the public, as I considered these two duties by no means incompatible, but on the contrary, look upon them one and the same thing; but I was not long in London when I received a call from a gentleman with whom I thought I should never communicate again; this was Mr. Thomas Pringle, who had unfortunately mentioned my name in a representation to the Colonial Office in a manner which he has often repented since; but which caused a feeling on my part which induced me to think that the gulf was impassable; however, that gentleman did call upon me, and on seeing him come forward, all feeling on my part dwindled into air, and our intimacy was renewed; through him did I get acquainted with Mr. Buxton, and why should I shrink from an acquaintance with Mr. Buxton or any other man? I did get so acquainted, I had the honour of repeatedly speaking to Mr. Buxton, as well as to individuals connected with Government. I have repeatedly, when circumstances which had occurred at the Cape were mentioned, warmly expressed my sentiments; but again, let Mr. Buxton, let any man in this country, let any man at the

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Cape of Good Hope, say, that I ever lent myself to any dark or underhand manœuvres against any power or individual. I am no volunteer here, I am dragged into this business. I may be said almost to be on my defence, but I have no cause to shun the contest. I was directed by the Committee the other day to produce certain papers with reference to the character I bore in office; I wish to observe that I have private letters, which I should beg may not be published, but I have others which the Committee may use as it shall see fit. I commenced, as I have said, my official career under Colonel Collins, who was His Majesty's Commissioner on the frontier when I was almost a boy; that officer left the colony, and joined the army in the Peninsula; before he left the colony he offered to obtain for me a commission in the army as a proof of his satisfaction of my conduct. My father had intended me for the civil service and I declined; I soon afterwards got a commission by the kindness of Lord Caledon, having changed my views in life. This, Colonel Collins, then fighting the wars of his country at the head of a Portuguese brigade in Portugal, heard, and immediately wrote out to me to say, that he had recommended me to his own battalion, wishing me to join it as soon as possible; that letter I must have left at the Cape, but soon after this I received the following, dated—"The 9th of June 1812. My dear Sir,—The inclosed will inform you, that your expected appointment to the 83d has not taken place. I understand the cause of this was, that the ensign whom you were intended to succeed, was recommended for a lieutenancy in another corps, which he did not obtain, because Government does not intend to fill up any lieutenancy in it until all the additional commissions of that rank become void. I am very much concerned at this disappointment, as it will, I fear, prevent our having you in the 83d regiment, but I have no doubt that Lord Wellington will soon get you removed to some other corps of the line. The army is assembling between this and Ciudad Rodrigo for the purpose of penetrating further into Spain; we have the fairest prospect of success. I beg my kind respects and remembrance to your father and mother, and remain, dear sir, yours very faithfully, Rd. Collins.—P. S. I hope your father has received the letter which I wrote to him some time ago to acquaint him with my application for your removal. The letters which Captain M'Dougal informed me that he and you had had the goodness to write have never reached me, R. C."—Here is a letter from Lord Wellington's secretary, Lord Fitzroy Somerset, to Colonel Collins, dated the 6th of June 1812:—"I regret to have to acquaint you, that Ensign Stockenstrom's appointment to the 83d regiment has not taken place according to Lord Wellington's recommendation, but his Lordship will take an early opportunity of again recommending him." By the time that reached me, my father had fallen by the hands of the Caffres, and my friends deemed it indispensable that I should remain as the protector of a widow and a family of orphans, therefore I did not then leave the colony. I also served under Colonel Graham for a long time, and my mother received this letter from him; it is dated 11 July 1812:—"Madam,—I forbore doing myself the pleasure of answering your favour of the 8th inst., until I was enabled to congratulate you on your son's appointment to be Deputy Landrost of Graaf Reinet. I have not yet made application for leave of absence for him to proceed to the Cape; but shall lose no time in doing so, and am confident his Excellency the Governor will accede to my request. Permit me, madam, to assure you, that the conduct of your son, during the late trying occasion, has been such as to excite a just admiration, and confirm the high opinion previously entertained of him by all who know him. He possesses a strength of mind and warmness of heart rarely to be met with, and particularly at his time of life. If any thing can contribute towards rendering less heavy the loss you have sustained, certainly it is the being possessed of such a son, whose chief ambition, to his honour be it spoken, appears to be a faithful discharge of filial and fraternal duty. I have the honour to be, madam, your most obedient and very faithful servant, John Graham."—In the Cape Government Gazettes, January 1812, in which the death of my father is announced, mention is made of myself; it shows how I stood with the Government at the time; that paper I have not been able to obtain, but it is an imperishable record, and can at all times be got. This I received from Lord Howden at the time of my appointment as deputy landrost:—"Government House, Cape Town, July 15th, 1812.—Sir, From the representation of Lieutenant-colonel Graham, of your good conduct under his command, and the opinion he entertained of your principles and disposition, that you would make a just and impartial magistrate, I have had great pleasure in appointing you to the situation of Deputy Landrost of Graaff Reinet: The example of your much revered and lamented parent adds to my confidence that you

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you will do honour to the appointment, and that his memory will remain preserved in the succession of the son to his father's virtue. As an officer and enlightened magistrate, I am sure I need not impress upon you the principles of the enclosed (circular) letter lately addressed to the several landrosts; but it is proper to make known, that such are the instructions from His Majesty, and that the British Government is resolved to enforce them, if required, throughout all his dominions. I anxiously add my warmest wishes for the success of all your exertions, and have the honour to be, sir, your most obedient humble servant, J. C. Cradock."—Lord Charles Somerset succeeded Lord Howden, and this is part of a letter which I received from his Lordship, in answer to my thanks for his Lordship's appointment of a brother of mine to a situation for which I had considered him too young:—"Friday, January 1st, 1819. My dear Mr. Stockenstrom,—I have this moment received your letter of the 18th December, and feel by no means to merit the warm expressions of gratitude you have used towards me; I can assure you, that any little mark of my esteem that I have shown to you or your family has arisen from the most conscientious motives, not only as regards the personal merit of the individual, and my own respect for him, but as a duty imposed upon the situation I hold in this colony to notice those whose public conduct is so meritorious. It is no compliment to say, that this Government has in its service no officer whose duties are performed more ably certainly (I might also say so ably) as yours. Neither is there any officer to whom I can with greater confidence intrust a difficult or intricate task. I can assure you I feel much concern that my power of evincing my sense of your able services is so very limited."—Sir Rufane Donkin held the government while Lord Charles Somerset was in England. This is a letter which I received from Sir Rufane Donkin, at a time when my friends urged me to obtain a grant of land from the colonial government, as almost every functionary had done, and as up to that time land was given away with a most liberal hand to any body that chose to ask for it. Sir Rufane then (the 19th June 1820) spontaneously, and unimportuned, says, "You may rest assured, that I am quite disposed to comply with any thing you may ask, for I well know and appreciate the services you have rendered to this colony;" that gentleman is a member of this Committee, he may either confirm or cancel that statement. The latter, however, I do not fear, as he has already here expressed himself in terms far above my merits. General Bourke succeeded Lord Charles Somerset, and ushered in the new system of government at the Cape.

1383. What was the new system?—I was then landrost of Graaff Reinet; the situations of landrost were abolished; civil commissioners were substituted, and I then obtained the situation of Commissioner-general of the Eastern division: Gen. Bourke, on the 15th Nov. 1827, informed me of this appointment, and said,—"My dear Sir,—You will be informed officially by this post, of my intention to appoint you Commissioner-general of the frontier provinces, an employment which will afford you an opportunity of continuing your services to the colony, and has enabled me to testify the value I set upon those you have already rendered to it; upon these grounds, I felt much pleasure that the Secretary of State had left to me the power of filling it up." Though classed among the colonial Dutch functionaries, the British settlers in the Albany district sent me this address, expressive of their desire that I should reside amongst them; this also I have no objection to hand to the Committee, but I will read the passage which bears particularly on myself:—"We cannot conclude without congratulating ourselves that so important a trust has been reposed upon a gentleman whose long experience of the real and true interest of the colony, and whose liberal sentiments eminently marked him out as the most qualified for that high situation, to the beneficial effects of which we look forward with extreme solicitude and hope." This comes from a set of men as respectable as any in the colony, who had no connexion with me in any way; they were perfect strangers to me, as an individual might even have been excusable if they had felt a bias against a chief who was not by birth their countryman, but they generously raised themselves above all prejudice, and acted upon the character I had always maintained in the country. The gentleman, through whom this numerously signed paper was communicated to me is present in this room, Mr. Thomas Phillips. General Bourke was succeeded by Sir Lowry Cole; I have been only able to pitch upon one particular letter, which I had the honour of receiving from the colonial secretary on a subject of no importance, but containing, nevertheless, a passage which will state the sentiments of the government with respect to me, at least, on the 12th of August 1831:—"I am directed by his Excellency to express to you his entire approval

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of those arrangements in which he finds only an additional proof of the value of your public services on every occasion." It may perhaps not be beneath the notice of the Committee to know even the sentiments of the Caffres and the Hottentots with respect to me; I have already stated, that my object was to set down with a determined hand the reprisal system, and stop the blood flowing in consequence.

1384. Zealous as you were for putting down the reprisal system, were you equally zealous in exterminating the hordes of Caffre and other banditti who might infest the colony and the borders?—Most decidedly; it was the basis on which I acted, that all parties should be protected, and that for the sake of the peaceable natives themselves those hordes of robbers and murderers should be crushed. I had, at a meeting of the Caffre chiefs, told them, that if it should be proved that Erasmus had slaughtered Zeko and his people in the manner complained of, that man should not go unpunished: I had told them that the cattle taken from them by Schessers should be restored to them, and that every such instance should be punished with severity. I have already pointed out that after this I had no direct control over the affairs of the frontier. More than a year later, when I had not seen the Hottentots of the Kat River or the Caffres for several months running, I received this communication from the field cornet of the Hottentots; it is written by an illiterate man, and therefore in a way of simplicity that perhaps may disgust; if, consequently, the Committee wish it, it may be expunged: I found it in rummaging through a great heap of old papers in search of the above documents. I shall give it in English, as it is verbatim in Dutch; it is dated the 9th of October 1832: this man says, "I have the honour to inform you, that the lands," he means those on the Kat River, "that the lands at present have been considerably extended since you were here the last time in the Kat River, so that if you come back to us to the Kat River, I shall be able to put before you fruit from the trees; I remain in the highest degree thankful to you, that you the last time rode with me and made peace with the Caffres"—(it is here necessary to observe, that this is his simple way of speaking of the matter; he refers to my speaking to those men, and telling them what I have said above)—"and the Caffres declare that you are the only government" (meaning authority) "who deals with them, and has dealt with them justly, and thereby we live in peace. I have the honour to be, &c."

1385. By whom is that signed?—C. Groepe; he does not mean to say that I am the only one who did the Caffres justice, or did it better than others; but the poor man only means to convey that my system contributed to peace, and that both Caffres and Hottentots approved of it and were thankful; he is at the head of the Kat River establishment. Finally, I come to the letter I received from Downing-street, announcing to me that my situation was abolished, and this will give an idea of the manner in which I stood with the supreme government up to the last moment of my official existence: "Downing-street, 11th December 1833. Sir,—I have laid before Mr. Secretary Stanley the letter which you transmitted to me, under date of the 3d instant, and I am directed to acquaint you, in compliance with your request to be so informed, that it is intended to abolish your office of Commissioner-general, as part of a general arrangement, founded principally on motives of economy; and that application will be made to the Board of Treasury for the purpose of obtaining the sanction of that department to the grant of a retiring allowance to you. I am further directed by Mr. Stanley to acquaint you, that in forming the arrangements by which your present situation will be abolished, he has been altogether uninfluenced by any imputation thrown upon you, or by any doubt of your active and conscientious discharge of your duty; and that if it be your intention to return to the Cape of Good Hope, Mr. Stanley will be prepared to recommend you as one of the unofficial members of the Legislative Council, as the reasons which caused your retirement from that body no longer subsist." That was my exit from the public stage, and I trust without any cause to blush.

1386. Did you apply for the retiring pension which was granted?—No, I did not.

1387. You were asked to produce any documents you might possess as to the Kat River settlement?—In travelling through an immense mass of papers to get at something like a character for myself, I happened to pitch on the very first manuscript ever written, with reference to the Kat River colony, and upon which it was founded; I have also found the very paper I gave in when I came from the Cape;

Cape; it was written with a view of supporting my theories against the apprentice clause in the Slavery Abolition Bill, when I advocated a more ample compensation and unqualified emancipation; it was written, in some measure, to show that men liberated will work when perhaps apprentices will not.

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[*The same was delivered in and read.*]

The questions which I have been called upon to answer appear to me to resolve themselves into the following propositions: 1. Whether the Hottentots in the colony of the Cape of Good Hope were not, previous to the enactment of the laws framed for their "emancipation" in a more degraded condition than the slaves: 2. Whether their sudden "emancipation," led to any great abuse thereof by vagrancy to any considerable extent: 3. Whether the cessation of compulsion to work for others, and the unrestrained liberty to dispose of their labour to their own advantage and at their own discretion, induced a cessation of industry, or increased that apathy and improvidence which, till then, were considered the main characteristics of the nation: 4. Whether I conceive that the enforcement of the laws existing in the colony would have been sufficient to prevent Hottentot vagrancy, even if no land could have been granted to the Hottentots: 5. Whether I conceive that the colonists have suffered any material injury from the want of the labour of those Hottentots who did leave their service in consequence of the 50th Ordinance. In reply, I have no hesitation in saying, that until the Hottentots were placed on the same footing with the rest of His Majesty's free subjects in the said colony they were decidedly in a more degraded condition than the slaves, in every respect, except that they were not saleable, and this very advantage was itself the cause of that greater degradation. They were employed in every species of occupation in which slaves were employed, subject to the same description of coercion and punishment; they were certainly not so well fed as the slaves, and seldom clad; there was not that interest to render them comfortable which operated in favour of the slaves; the dangers and privations to which the slave-owner would never think of exposing his slave would be forced upon the Hottentot without scruple or hesitation. Male slaves, it is true, often took Hottentot wives from the natural consideration of the blessing of having free children, but few female slaves took Hottentot husbands. It was considered "a falling off," the Hottentots were universally far less respected than the slaves, and consequently far less respectable; they gradually sunk in their own estimation as they became weaker and weaker as a nation, and as they were treated with more and more severity and contempt. I have often heard many well-meaning humane farmers who had passed all their lives among, and constantly employed, both slaves and Hottentots, maintain, when the experiment was suggested of leaving the latter to do the best for themselves, and take care of themselves, that such a scheme was chimerical, that the innate improvidence of the tribe rendered leading strings necessary for them till their dying day; they would contrast the recklessness of the Hottentot, who would expend all his wages in strong liquor or useless fineries as soon as he obtained the same, and squander away all his stock as soon as it was left at his disposal, with the anxiety of the slave to add to his little; and they would thence argue, that if property were not involved you might beneficially and safely do with the slaves what with the Hottentots it would be dangerous to all parties to attempt, forgetting that this opposite conduct was easily accounted for, not by the difference in the nature of the two classes, but by the stimuli which ever the slave possessed, and to which the Hottentot was a stranger. To the second question, I must answer, that vagrancy to a considerable extent, immediately after the promulgation of the 50th Ordinance, did take place, but this, in the opinion of Mr. Justice Burton and others, the laws of the colony were fully sufficient to restrain; many, nay the greatest of the Hottentots, left service as soon as their then existing contracts expired; some believed themselves authorized by the new law to break those engagements; they flocked to the vicinity of towns and villages, where the temptations of cheap brandy, procurable by little labour, soon betrayed them into dissolute habits, and led many of them often to depredations on the flocks of the farmers, who did in many instances suffer considerably, and became very clamorous, but the ease with which this evil could be averted, independent of the laws above referred to, will appear from my reply to the third question; viz. The government, wishing to give full effect to the provisions of the 50th Ordinance, and well aware that this law could never operate to its full extent in favour of the class in whose behalf it had been framed, without a fair field being opened for the exertions of its industry, determined on the experiment of allotting lands to a certain number of Hottentot families. This experiment was intended to be upon a small scale. Hottentots of good character, or possessing property, were invited to settle in the branches of the Kat River. They were to be located in the immediate vicinity of the Caffres, who were then in a state of great irritation against the colony. Some families of Hottentots soon made their appearance on the spot, few of these possessed property to any amount, they were poor, as might be expected, but were generally known to be steady men. It was soon, however, found to be impossible to draw a line of distinction. Hottentots flocked in from all quarters, many of them known to be indifferent characters; even some of those who till then had been vagabondizing came and begged to be tried. To exclude these became difficult; to refuse a man the opportunity of bettering his condition only because it was suspected that he would prove unworthy, appeared cruel. In the mean time the Caffres threatened the new settlements, and it became necessary to arm the new settlers, or to expose them to be massacred—ruin was anticipated from such a step. The Caffres with their assagais were thought less dangerous to the colony than a congregation of Hottentots armed with muskets, with little or nothing to eat. That these men would turn the weapons which

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we had put into their hands against ourselves as well as against the Caffres, and that the country would be deluged with blood, was confidently predicted. The clamour became loud, and the projectors themselves began to doubt whether they might not have acted too rashly; but the step, whether wise or rash, was taken; hundreds of able-bodied men, well armed and supplied with ammunition, but with little food, were within hail of each other; hungry men, so circumstanced, might (it was thought) make short work of the numberless flocks of the Caffres and colonists on both sides and all round them. Such were the predictions then expressed; but the conduct of the Hottentots soon gave them a practical contradiction. They were told "Show yourselves worthy of freedom, and your farther improvement is in your own power." Instead of collecting in a mass, eating and sleeping until the little they then had should be consumed, and then carrying fire and destruction over the country, and allowing the Caffres to surprise them, cut all their throats, and with their muskets carry on a more equal warfare with the colony as was anticipated, they set immediately to work, cut canals which, considering their tools and the rock and indurated soil through which they had to penetrate, would have been thought impracticable. They cultivate by means of the most miserable implements an extent of country which surprised every body who visited the locations, including the governor. Those who had no food lived upon wild roots and by working for those who had something; these again were obliged to economize to support their families, until in a few months they had an abundance of pumpkin, India corn, peas, beans, &c. Instead of apathy or indifference about property, they become (now that they had property to contend for) as covetous and litigious about land and water as any other set of colonists. They display the utmost anxiety to have schools established among them. Several of these schools are in a flourishing state, and so eager are they for instruction, that if they find only one amongst them who can spell, where nothing better can be obtained, they get him to teach that little to the rest. They travel considerable distances to attend divine service regularly; their spiritual guides speak with delight of the fruits of their labours. Nowhere have temperance societies succeeded half so well as among this people, formerly so prone to intemperance. They have themselves petitioned the government that their grants may contain a prohibition against the establishment of canteens or brandy houses. They have repulsed the Caffres on every occasion on which they have been attacked, and are now on the best of terms with that nation. They have cost the government nothing beyond the salary of their minister, from fifteen to twenty mudes of Indian corn, and a few more of oats given them for seed the first year 1829, and the loan of the muskets, together with a little ammunition given them for their own protection as well as that of the country in general. They pay every tax like the rest of the people; they have rendered the Kat River decidedly by far the safest part of the frontier; and the same plan, followed upon a more extensive scale, would soon enable government to withdraw the troops altogether, and put an end to that desultory warfare which must retard the improvement both of the colony and its barbarous neighbours, whilst no excuse would be left for Hottentot vagrancy.

Petty misdemeanors we must suppose occur in this as in every community, but they have not hitherto cost the public a magistrate, and the nearest functionary of the kind is two long days ride distant. I only recollect two cases tried before the civil courts in which settlers of the Kat River were the accused; one was a bushman who had stolen some goats before he joined the settlement, and was taken up after he had reached it, and the other was the case of two Hottentots who had stolen a Caffre cow, which was discovered by the vigilance of the head of the party to which they belonged, who arrested and sent them prisoners to Graham's town, though the owner of the cow wished to make up the matter by receiving back another cow. In short, the most prejudiced men who have travelled through the locations admit, that the Hottentots have done wonders; that as far as the land is arable they have made a garden of it from one end to the other; they have already supplied the military posts with forage and provisions to a considerable extent, and just as I was embarking the commissary-general handed to me a memorandum of some of their tenders which he had just accepted. The above statement may possibly by some be considered as too favourable, and individuals may be found who, jealous of the success of this experiment, in refutation of all their sinister predictions, may point out indolent and bad characters in the Kat River settlement, such of course existing there as well as in every other place where numbers of men are congregated. But to these objectors I would reply, that I never meant to represent the Hottentots as faultless or better than any other race of people in the aggregate. I have only wished to show that as soon as they were treated as reasonable beings they acted reasonably, and the facts now stated can be proved to the letter. The fourth question I at once answer in the affirmative, and am borne out by the superior opinion of Mr. Justice Burton; a few trifling examples would have convinced the Hottentots that the law did not authorize their roaming about without means of subsistence, and those who could not obtain land would necessarily have returned to or stayed in service, as a great proportion did, but of course upon a more liberal footing than before. 5. Some inconvenience, no doubt, was the immediate result of the Hottentots leaving the service of the farmers, but the general complaint was not about the loss of that labour; the cry was "Take the Hottentots to the Kat River or any where else, provided only you prevent them hovering in the bush, about our farms, and preying on our flocks." Great jealousy naturally exists among the ignorant classes on the subject of political importance acquired by a set of men who have so long been looked down upon, but the community at large wishes them well, and many thinking persons will admit that the privation of Hottentot service has at least had the good effect of forcing numbers into habits of industry who had rendered themselves totally dependent upon that labour.

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1388. How long was that report written after the first establishment of the settlement?—The settlement began in 1829, this was written when I came home in June 1833; but I have described the state of the settlement and people as it was when I left it.

1389. Are the Committee to understand generally that you consider the Hottentots, generally speaking, in the lowest possible state of degradation, morally and physically?—The degree of degradation can go to an immense depth below that of the Hottentot, for instance, if we take the Bushmen in their present condition, they are far beneath what the Hottentots were, but the latter were certainly in a most degraded condition; I speak of the mass of them that were servile, particularly in the remote districts, far from the eye of the magistrate, and certainly far more degraded than the slaves.

1390. Were they also more oppressed than the slaves?—Unquestionably, that is inseparable.

1391. You saw, with your own eyes, this extraordinary transformation of character, so that men habituated to drunkenness became sober, men accustomed to steal became honest, men abhorring work became industrious, and all through the influence of liberty being given to them?—I must be specific in my reply to that question:—As to men accustomed to steal, I never considered the Hottentots a nation of thieves, nor the Caffres either; hundreds and thousands of them do steal, and are charged with stealing, particularly sheep; but I have never said anywhere that either the Hottentots or the Caffres were a nation of thieves: then as to another part of the proposition, the immediate result of liberty was not their sobriety; moreover it must not be forgotten, that my paper speaks exclusively of the Hottentots in the Kat River colony; their sobriety was certainly brought about by means of the Temperance Societies, which were introduced and spread into that colony, principally, perhaps exclusively, through the efforts of the missionaries Thompson and Reid. I never visited the location after the establishment of a Temperance Society there, so that I could have no influence or merit in it.

1392. Are the Committee to understand you go so far as to say that those beings who were in a greater state of degradation than the slaves themselves, were transformed into a body as industrious, as honest and as respectable as the ordinary population of this or any other country?—Decidedly, (I speak of the Kat River people) with the exception of respectability, and that applies only to their poverty; they were a poorer community, and they could not at once raise themselves on a level with the opulent classes.

1393. They were a thriving community and likely to improve their property, were they not?—Decidedly; I slept one night at the place of the head of a party there; he is now, I saw by the Cape almanack, if I mistake not, a deacon of the church. I supped there with Mr. Thompson the clergyman, when I went to introduce him to his congregation; we slept in the hut he had built there; he showed me his miserable plough, made without iron, and the land he had cultivated with it; he gave us as decent and respectable a supper and a bed as the generality of peasantry in some of the poorer parts of Europe; yes, much better than some; there was evening service, the man read his chapter to his family, and the clergyman Thompson was delighted; this man was by origin, I believe, a bushman. There are many such instances. I am pledged to prove to the letter the contents of my paper.

1394. Did those Hottentots, though located in the land which the Caffres claimed, yet contrive to maintain peace and harmony with the Caffres?—They were, when I was there last, upon the best of terms with the Caffres, and continued so, or at least were so at the date when that letter was sent me by Groepe, which I have read to the Committee. At the time Colonel Somerset requested me to sanction an expedition against the Caffres in 1831, I went in with a few Hottentots, who took me in and came out again, and none of us had as much as a penknife with us in the way of arms.

1395. Are you to be understood to say that the expense to Government of this Hottentot settlement was only their rations?—They got no rations at all from the public.

1396. It was the expense of seed?—Yes, a few bushels of seed, as I have stated.

1397. Was the expense of the settlement made by Government in Albany as economical as this settlement of the Hottentots?—I was not engaged in the settlement of Albany, I was not then connected with that part of the country, and I can speak to that only from hearsay.

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1398. Are you aware that the expense of the settlement of Albany was very great?—That is matter of public notoriety.

1399. You say you went with two Hottentots into the Caffre country; was any attempt made to detain you there?—Not in the least; I am not safer here at this moment than I was there.

1400. Would they have thought it a deviation from honour and rectitude to have detained you as a hostage in that country, and was your safety owing to that feeling on their part?—I cannot say what their impulse and motives were, but they behaved to me as kindly as possible, though they were then making to me many statements of grievances.

1401. Did you know Hintza?—Yes, when I was there with Colonel Collins, I saw him.

1402. Was he the paramount chief of Caffreland?—Yes, and I heard Gaica admit to Colonel Collins that he was superior to himself, but the positive relations existing between them, how far that subordination or subjection went, whether it was of a feudal or other nature I know not, as the colonel did not enter into particulars.

1403. Are the Caffres exceedingly attached to their chieftains?—Yes, I think they are.

1404. Do you think the death of Hintza, supposing that death to have occurred when he came into our country under promise of safe conduct, calculated to alienate the minds of the Caffres from the British, and to render them still more dangerous enemies than formerly?—I do not know on what terms he came.

1405. Supposing he came of his own free-will, and under safe conduct?—If he came under the promise of safe conduct, and fell by an act of treachery, it will undoubtedly exasperate the whole of Caffreland—it cannot be otherwise.

1406. Can you conceive any thing more calculated to prevent an amicable settlement with the Caffres than the death of Hintza, supposing that he came into the British camp of his own free-will, and not as a prisoner?—I know nothing of the particulars, but it is but natural to suppose (and from what I know of the Caffres I have reason to think) they would not feel or act otherwise in this point than any other nation; most decidedly that must be the effect if he really did fall by treachery, of which I know nothing.

1407. Supposing he did not actually fall by treachery, strictly so called, but if he fell in the manner which has been represented in the public newspapers, what effect would that be likely to have?—I do not understand exactly the link of the chain of communication in the papers. I have asked in various places to obtain a regular statement from first to last, but I have not been able to obtain it.

1408. Do you not think that in our intercourse with savage tribes, we should not very strictly apply the rigid notions of European warfare and agreements?—To a certain extent and under particular circumstances you may have a discretion, but good faith must never be broken either with savages or any other nation.

1409. That we should interpret acts in an indulgent manner with regard to interference, for instance, an European officer who was running away from a party whom he had engaged to guide, would, in the opinion of every reasonable man, be justifiably shot, but should those strict notions be applied to such persons as the Caffres?—It is impossible to say what an individual might do. Do you ask me what I would do myself? No—well, then, I should say that you must lay down a principle or rule for your dealings with all nations. The law of civilized nations is the best you can adopt; else you are without rule, and no man can know how to act. I think that if you act fairly and openly to any people, and do not do them an injustice, any special indulgence would be very praiseworthy in the individual so disposed to act, but strictly speaking, they are entitled only to justice, and as long as that is done, there is no danger of just war.

1410. You think we are not bound, as being superior in civilization and intelligence, to make any allowance for the ignorance of savages on such occasions?—What we ought to do is another question. Do you mean what an individual, leaving justice out of the question, might take upon himself to do?

1411. The question refers to what we should do as a nation?—I do not think we are bound to do any thing more than justice. I would not oppress them, I would give them no cause of complaint, I would be as indulgent as possible, but I do not see that we should be called upon, as a matter of right, to deviate from what is established among civilized nations. If your severity or leniency is to be

proportioned to the degree of civilization of the nation you deal with, you can have no fixed rule for your conduct.

1412. You would wish, of course, the European and the savage to stand on equal terms, how can you say that they stand on equal terms, when one is so enlightened and the other so ignorant, would you not draw an inference, that indulgence should be conceded to those in ignorance, and that we should relax in some degree from our strict notions of penal infliction?—If I am asked whether I should wish to see that done, that is another question.

1413. Should it not be done from a feeling of equity?—Yes, it might, and it would be all the better; but not as a matter of strict justice.

1414. Of how many did the Hottentot settlement consist at the end of last year?—There are official returns; I should not like to commit myself by answering—I have a very vague recollection.

1415. Can you give the Committee any idea what proportion of those Hottentots came into that settlement possessed of property?—There are returns; I cannot state the proportion without them, the proportion must be, at the very furthest, a third or a fourth. I do not mean by property, one or two or three goats, that is not property, it would dwindle away immediately.

1416. Did any Hottentots who were located in the new settlement of the Kat River come from Genadendal or any of the missionary settlements?—Very few; I can recollect but one or two from the Moravian establishments, but a great number from the London missionary stations.

1417. Do you think those who came from the London missionary stations and those from the Moravian establishments, contributed a great deal to the improvement of the settlement?—Yes, but not more so than many that came from farmers with property.

1418. With respect to chief Hintza, his notions of right and wrong were sufficiently clear to know he was acting wrong upon the occasion, which led to his death?—As I say, I was very young when Colonel Collins travelled there, I have not much recollection of him, but he appeared to me and was considered by the whole party as a sensible man for a barbarian.

1419. Do you allude to the Hottentots throughout the colony, or only those on the Kat River?—The Hottentots on Kat River are composed of Hottentots from all parts of the colony.

1420. Are the Hottentots, in consequence of their good treatment by missionaries, on the increase, or the Bastard race on the increase?—The Bastard race is on the increase from their amalgamation with Europeans and other classes.

1421. Had you an opportunity of ascertaining whether the intercourse Doctor Philip held with the Caffres was likely to conduce to the good conduct of that race of men or the contrary?—I never saw any intercourse between Doctor Philip and the Caffres.

1422. You are not sufficiently acquainted with the matter to give an opinion upon it?—I did hear once that Doctor Philip had made a speech to chief Botman in the presence of a British officer, and that speech, as reported to me, was thought extremely indiscreet and imprudent.

1423. Of that speech you know nothing yourself?—Nothing: all report and hearsay.

1424. You say that the Caffres represented to you their grievances, on the representation of those grievances did you sympathize with them, or appear to sympathize in those grievances, or remain perfectly silent?—I did not remain silent; I told them if those things were true they should get satisfaction, and that the parties concerned should be punished.

1425. Was not that, as far as you had an opportunity of judging of the speech, said to be made by Doctor Philip, the precise course he followed on their representing their grievances, is he not said to have told them that those grievances ought to be redressed?—I cannot exactly recollect, for I never got or sought further evidence; I was told the government had inquired into this report; of this I am not even certain. I cannot at this moment state what the words were, but I must admit, that at the moment when I heard them stated, I was much displeased with the doctor.

1426. Were you to be understood to say, that supposing Hintza came in of his own free-will, and without compulsion, and that then he was detained a prisoner, and ultimately put to death; if those facts prove to be so, they were calculated to produce extreme dissatisfaction among the Caffres?—Under those circumstances, most decidedly.

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1427. Be good enough to read that proclamation from the governor, the first three paragraphs—[*the same being shown to the Witness*]?—" Twelve days ago Hintza, the heart of his country being occupied by the troops of the king, my master, his personal residence in danger, and his farther resistance useless, came into my camp and sued for peace. I there set forth and prescribed to him the terms upon which peace could alone be granted ; and on the following day, having duly considered them, he accepted them all, and solemnly ratified them, remaining himself with his son and heir, by his own choice and free-will, as hostages for the fulfilment of the treaty which he had then ratified."

1428. Did it not appear from that official proclamation, that he came to our camp of his own free-will, and that of his own free-will he remained in our camp? —It appears to me that he remained as a hostage voluntarily.

1429. Is it not said that it was of his own free-will and choice?—Yes, that is clear.

[*The Proclamation was read, as follows :*]

His Britannic Majesty's Governor of the *Cape of Good Hope,* Commander-in-chief of His Majesty's Forces in *South Africa,* to *Hintza,* Chief of the Country between the *Kei* and the *Bashee.*

1. Twelve days ago Hintza, the heart of his country being occupied by the troops of the King, my master, his personal residence in danger, and his farther resistance useless, came into my camp and sued for peace.

2. I there set forth and prescribed to him the terms upon which peace could alone be granted.

3. And on the following day, having duly considered them, he accepted them all, and solemnly ratified them, remaining himself with his son and heir, by his own choice and free-will, as hostages for the fulfilment of the treaty which he had then ratified.

4. This deportment on the part of the chief appeared so frank and honourable, that I was induced to abstain from using a power reserved to me by the concluding article of the treaty, that " of continuing hostilities until the first instalment of cattle should have been paid ;" and to save his people from the scourge of war in the mean time, I accordingly caused hostilities to cease on the part of my troops, thereby foregoing the additional advantages which the then following up those already gained could not have failed to secure.

5. What return has Hintza made for all this forbearance? he has deceived me throughout.

6. He has, it is true (very reluctantly) complied with the 2d stipulation of the treaty ; but the 1st, 3d and 4th, the most important of all, are still unexecuted, and although their fulfilment has been repeatedly urged to him, no effectual steps have yet been taken for that end.

7. In these circumstances I have a full and just right to consider and treat him as a prisoner of war, and send him to Cape Town, but as I am still disposed to believe his asseveration, that his presence in the midst of his people may give him the power of fulfilling his solemn agreement, I will abstain from doing so, and will not for the present send him out of his own country ; but it is upon the condition proposed by himself, that he accompanies a division of my troops through such parts of the country as its commanding officer, Colonel Smith, may select, and exert his full power as chief of it, to collect the cattle and horses due, and to apprehend the murderers of the two British subjects, and supply the 300 head of cattle demanded for each of the widows of the murdered men.

8. Meanwhile I retain as hostages, according to the 5th demand of my treaty, Hintza's son Creili, and his relation Bookoo, making the latter especially responsible for the two murdered Englishmen, who were murdered in the district under his government, and near his residence, and whose murderers it was his duty at the time to have apprehended, and caused to be duly punished ; and considering the breach of the solemn treaty which has been committed as above, I will also retain in my hands the other followers of Hintza now in my camp, with the exception of Umtinee, and two others whom the chief may select.

(signed) *B. D'Urban,*
Governor of the Cape of Good Hope,
Commander-in-chief.

Done at my Head Quarters,
on the Kei, the 10th May 1835.

Read to Hintza sentence by sentence, *seriatim,* by the Governor and Commander-in-chief, on the left bank of the Kei, immediately after the Proclamation of this morning, and translated to him into the Caffre tongue by Mr. Shepstone, Caffre interpreter, in the presence of us,

*H. G. Smith,* Col.-Chief of the Staff.
*John Peddie,* Lieut.-col. commanding 1st Division.
*J. Murray,* M.D. Principal Medical Officer.
*C. C. Michell,* Surveyor-general.

I certify that I faithfully translated this communication to the Chief Hintza, in the hearing of his son Bookoo and his councillors, and that he declared his perfect understanding of the same.

10th May 1835. (signed) *T. Shepstone,* Caffre Interpreter.

(A true copy.) *G. de la Poer Beresford,* Aide-de-camp.

Captain

Captain *Charles Bradford*, called in; and Examined.

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1430. IN what service are you employed?—In the East India Company's service on the Madras establishment.

1431. Have you recently visited the Cape of Good Hope?—I arrived at the Cape of Good Hope in March 1834, and left it in February of this year.

1432. Did you go to the frontier?—Almost immediately after my arrival in Cape Town I left Cape Town for the frontier, and was absent on the frontier and during my journey eight months.

1433. Had you an opportunity of communicating with the Caffres on the borders, and making yourself master of the relations between them and the Europeans?—I visited Caffreland twice, and to a certain extent I interested myself in the state of the Caffres and their connexion with the colony; I have taken down a number of memoranda from a journal I kept at the time, from which I could read to the Committee such observations if it is desired.

1434. Are there charges against any individuals?—I have avoided as much as possible using the names of Government authorities or private individuals, where any slur may be cast upon them, but on some occasions I have been obliged to mention names; I have divided the extracts into different subjects—one connected with so much information as I gained relative to the Hottentots, and the other portion relative to the Caffres. I wish to observe that many of the statements interwoven in this journal have been given to me by other persons, as of course I could not have been an eye-witness to them all myself. "I entered the colony of the Cape of Good Hope an entire stranger to all parties and persons residing in it, and not till some time after I commenced travelling into the interior did I become acquainted with the existence of the separate interests which caused so much angry discussion in the public papers. Uninfluenced, therefore, by any party views, I commenced travelling within a fortnight or three weeks after landing at Cape Town, and was absent in my journey and on the frontier altogether eight months, during which period I had frequent opportunities of mixing with all classes in the colony, and of personally witnessing the state of the Aborigines, as also of gathering from the Dutch and English farmers their sentiments towards the natives, and their views in advocating certain systems, which, in their opinion, might tend to improve their own condition in the colony. I have thrown together in this paper a few circumstances and remarks which I have extracted from my journal, written at the period of those events presenting themselves before me, and if they tend in any measure to throw such light upon the affairs and state of the colony in South Africa as may not at present be before your Honourable Committee, I shall be proud to have the honour of reading them before you; soliciting, gentlemen will bear in mind that they are merely extracts from a private journal written at the time for my own satisfaction; without any idea of the present use to which they are made subservient, and therefore, due allowance will be made for their abrupt or obscure references to past events. The Caffre nation, amounting in numbers to about 100,000 souls, is entirely pastoral; their wealth is also their chief means of supporting life, consisting almost entirely in cattle; they are governed by independent chiefs of tribes, under the general authority, in time of war, or other great national question of Henya the King, whose immediate territory lies north-west of the Kei River. The whole of the chiefs consider themselves to possess the right of becoming parties to any negotiation affecting the general interest before it can be considered binding on the nation at large; it is therefore on this plea I am given to understand the chiefs connected with Macomo's tribes complain of that track of country, denominated neutral or ceded territory, having been taken possession of by the British under some treaty with Gaika, the late chief of all the Southern Caffres, without the concurring sanction of the other chiefs. Having travelled twice through Caffreland, I held repeated conversations with the chiefs; they were most anxious for the arrival of the government on the frontier; their first question usually put to me being, 'When will the English governor come to see us?' and immediately afterwards they would add, 'That his coming amongst them had been so long promised that they despaired of seeing him.' On one occasion I was present at a meeting of several of the chiefs, with their councillors and followers, assembled to consult on the expected arrival of the governor, and their grievances. Macomo, the regent of the Southern Caffres, (the young prince being a boy of 12 years of age) was the chief in rank; he spoke with great spirit and energy, and at times with considerable dignity; he adverted to the treatment his people had met with from the English,

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and indignantly complained that any white man, whatever his rank, was permitted to enter his country at pleasure, whilst he and other chiefs could not cross the English boundary for a few hours, without obtaining permission from some colonial authority. He then remarked upon a summons he had just received from Colonel Somerset, to meet him with the other chiefs at the Buffalo River, and of his having refused to attend, as Colonel Somerset had not first obtained permission to enter his country. Macomo then complained bitterly of the system pursued by the British; of his having been driven from the country of the Kat River, which he claimed as his own, till the English seized upon it and gave it to the Hottentots. That he had even procured a missionary for his people; he had built houses and planted gardens; but that his huts were burned—his cattle driven off—his people shot; that the arrival of the governor was promised—redress was promised—all was unfulfilled. That he avoided quarrelling with the English—his people had not strength—had not arms to cope with the English; though his people urged him to revenge his wrongs, he avoided war—he repressed the violence of his people. They were accused of stealing the white man's cattle. He had sent back many cattle to the colony. (He here produced receipts given by Major Burney for a quantity of cattle and horses delivered up at different times by himself at Fort Willshire.) The Caffres, he continued, would steal, but were there no thieves among the white men; did no people steal in the colony or in England; he never encouraged his people to steal, but he could not discover every thief. He then adverted to the conduct of the commando taking any man's cattle that was met with, and thus the innocent suffering for the guilty; and strongly urged the injustice of the system itself. Botman, another chief, also spoke to the same effect, and argued as clearly on the simple principles of justice as would have done credit to a man of far higher pretensions. Their feelings were evidently in a state of great excitement from the delay of that justice which had so long been promised; and they looked forward to the arrival of Sir Benjamin, to put a stop to a system as cruel as it has proved itself impolitic. Adverting to Macomo's statement of being debarred from entering the colony, an instance took place, in which he was personally treated with the greatest indignity; having proceeded to the Kat River, without permission, to attend the anniversary of that establishment, and being seated in the midst of the party assembled in the chapel, a guard of mounted troopers galloped down the heights, under command of a serjeant, who placed Macomo between two soldiers, with the threat to shoot him instantly if he attempted to move from between them, and in this manner conducted him to the military outpost, where, at the intercession of Mr. Reid, he was released, and permitted to re-enter his own country, whilst at the same time, I am informed, there were no less than 150 or 200 traders residing in and travelling over Caffreland without molestation; and on a friend of mine asking the wives of some of these men, if they were not alarmed at their unprotected state, at such times as their husbands have gone into the colony; their reply has been, that they considered themselves as safe as if residing in Graham's Town, and seldom or ever were their huts robbed, although containing those things esteemed by the Caffres precious. The absurdity of charging the whole of the Caffres as thieves is most apparent, when at the same time, we find both traders and farmers going to reside amongst them, because they cannot obtain, as they state, the protection of the government against them. Independent of Macomo's statement of having delivered cattle up at the military outposts, which he had discovered amongst his people, I received accounts from the frontier of the chief Thiali, just before the breaking out of the war, having pursued, and brought back to the colony, on several different occasions, cattle stolen from the farmers. The second time of my leaving Caffreland was in October, last year, in company with a gentleman, who was to return towards Hantam; we passed through the country of the Guga, at 10 o'clock at night; the Caffres were enjoying themselves after their custom, with their shouting, feasting, and midnight dances; they allowed us to pass on unmolested; some time after I received a letter from the gentleman who was my travelling companion on that night, written just before the breaking out of the Caffre war; in it he says, 'You recollect how joyful the Caffres were when we crossed the Guga; but on my return, a dense smoke filled all the vales, and the Caffres were seen lurking here and there behind the Mimosa; a patrol, commanded by an officer, was driving them beyond the colonial boundary. (This piece of country has very lately been claimed by the colony.) I saw one man near me, and I told my guide to call him to me; the poor fellow said, 'No, I cannot come nearer, that white man looks too much like a soldier;' and all our persuasions could not induce him to advance near

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near us. ' Look,' said he, pointing to the ascending columns of smoke, ' what the white men are doing.' Their huts and folds were all burned; when the Boors cross the northern boundary, you hear the civil commissioner and Colonel Bell saying the drought compels them to intrude into the country of the Guiquas. I suppose Boors are men, Caffres are beasts, or why not use the same argument for all classes of our fellow-men?' Thus much of this gentleman's letter, upon whose veracity I can implicitly depend. It was about this period that the case of the Caffre Gouhe came on, when the magistrate of Graham's Town awarded to a Caffre 50 lashes on his bare back, and an imprisonment of two months, for ' resisting a sergeant in the execution of his duty,'—such being the civil charge, as may be seen in the records of the magistrates' court of Graham's Town. The poor Caffre being a subject of Macomo's, had, as it appears in evidence, built his hut on a part of the neutral territory, so called, probably the Gaga. The sergeant being about to set fire to the hut, the Caffre is said to have threatened opposition; he afterwards went through the Caffreland, showing his wounded back to his countrymen, and calling down their vengeance. Numerous were the instances of commandoes or patrols, of which I heard when in Caffreland, carrying off the cattle of the Caffres, burning their huts, besides the misconduct of the traders and farmers. One of their own number assuring me that he deemed the greater portion of them far more infamous in their conduct to the Caffres than the latter would be, even if all the accusations brought against them were founded in truth. The case of Bowls and Stubbs attached, will afford a specimen of their conduct, as well as of the truth of the statement, that the traders often use the threat of Colonel Somerset's name, and a commando, to frighten the Caffres into compliance with some atrocious demand. Immediately prior to the breaking out of the war in December last, I am informed, some colonial horses had either strayed into Caffreland, or had been stolen. A patrol, under the command of a young officer, proceeded in search of them, entered Caffreland, and not finding the horses, seized some cattle, and were driving them towards the colony; the plundered Caffres followed the party and menaced them with words and gestures. The officer ordered his men to fire; an affray took place, and the officer was wounded in the arm. The Caffres' cattle were brought into the colony."

1435. Does the statement of the misconduct of the traders and farmers apply to the Dutch boors or the English settlers?—To the English settlers, inasmuch as the traders are settlers.

1436. Do you speak this from your own knowledge or hearsay?—Merely from what I have heard in the colony, not from my own knowledge. I beg perfectly to be understood, that the greater part of these circumstances are what I have heard in the colony, not that I have been an eye-witness of them.—" This affair is made a pretext for driving the Caffres out of the neutral territory where they had been permitted to graze their cattle. This takes place just as their corn is ripe, as was the case where they were driven out of the Mankusana in 1833; and again out of the Gaga in the following year. Regarding the chief Macomo's statement, of having brought cattle to the military outpost, an officer of His Majesty's 75th regiment assured me, that when he has been on command at the outposts, he has known the Caffre chiefs bring large herds of colonial cattle out of Caffreland to deliver over to the authorities. That he had known as many as several hundred brought out at one period, and this too unsolicited on the part of the colony. He also detailed the method adopted by the officers at these outposts when application was made to pursue cattle said to have been stolen. A boor or farmer, having lost horses or cattle, states the number supposed to have been stolen, which account of the number missing from the particular farms must be corroborated by the field cornet, or petty authority of the district. This field cornet is too often connected with the boor by ties of relationship or mutual interest. However this may be, his testimony is deemed sufficient, and the officer proceeds with a party of soldiers into Caffreland. If he succeeds in finding the spoor, and tracing the cattle to a kraal, he takes from that kraal an equivalent for the number lost. If they cannot be traced, he goes to some other kraal he may fall in with, and takes the same number as before specified. The poor Caffres who are thus unjustly deprived of their cattle are told to go and find the stolen cattle for themselves. The obvious injustice of such a system must be open to every unprejudiced person; yet there are few frontier farmers, whose moral sense of right and wrong has not been so obliterated by personal interest as to perceive the iniquity of such a system, independent of the premium thus held out to the boor and farmer to state their losses at any amount,

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being pretty certain that the Caffres only will be the sufferers; besides the possibility of a farmer's cattle having only strayed away, as a case which took place about a year ago will illustrate. Forty-three head of cattle were missing from the grazing ground of field cornet Croep at the Kat River; a commando of Hottentots was ordered out in pursuit, who traced the spoor of some cattle, which ultimately turned out not to be the same, as far as the Gorga ridge of hills. They here halted for the night, and the officer commanding the military outpost of the Chumie joined them on the following morning with a detachment of soldiers, left the spoor or track, entered Caffreland, and captured 45 head of cattle, 27 of which were the property of one Caffre of Thyali's kraal, who was desired to go and trace the stolen cattle in place of his own. The Rev. Mr. Reid having to pass through Caffreland at this period, the poor fellow who had just been robbed of his cattle came to him with the bitter lamentation that his children were crying for food, that the calves of the cows that had been driven away were starving for want of their accustomed milk. Mr. Reid represented this case to Captain Campbell, the civil commissioner, who happened to be at Kat River at the time, and it having been discovered that the supposed stolen cattle had only strayed into the neighbouring thicket, the Caffre's cattle were restored. The injustice of demanding, as is frequently done by the colonial authorities, all the colonial cattle that may be in Caffreland, is apparent from the officer's statement before quoted, that when the colonial cattle cannot be discovered, Caffre cattle is seized in its place; restitution to the amount stolen having been made, such cattle necessarily becomes the property of the Caffres; and it would be equally vain to argue that, when claimed, they are only claimed from the men who stole them, for that would presuppose there was no such thing as exchange or barter amongst the Caffres, which is void of foundation; besides the frequency with which they obtain cattle from the traders or missionaries, in exchange for their own. I have been informed by men who have resided amongst or in the vicinity of the Caffres for years, they have remarked how very much the number of cattle in Caffreland has diminished, compared to the immense herds that were formerly seen grazing on their hills; and it is a remarkable fact, as noticed in a late Cape newspaper, how correspondingly great has been the increase in Albany during the same period; and if a fair account were taken of cattle, lost on both the British and Caffre sides, we should find the Caffres had been very far the losers, as acknowledged by a gentleman, who was an eye-witness to 20,000 head being driven out of Caffreland by the commando of 1823. When travelling in Caffreland, in October last, and the chiefs being in daily expectation of the governor's arrival amongst them, Colonel Somerset sent for them to meet him at Fort Willshire, to communicate a message from the governor. The note directing their attendance was put into my hand; Macomo stated to me the message was, that, according to the books or register of loss of cattle by the colony, there were still 400 head of cattle and 70 horses in Caffreland, and that unless Macomo and the other chiefs brought them out, a commando would be sent into Caffreland, and seize an equal number from the Caffres. The ill effects of such a message, at such a period, and as coming from the governor, to whose arrival they were looking as the means of putting a stop to the iniquitous system, so long carried on, may be imagined. An instance of the many acts of abuse of authority, I shall here transcribe, as stated by several men who were in Caffreland at the time. In June 1830 or 1831, a commando of boors entered Caffreland, for the purpose of seizing all colonial cattle that might be found in the country. The Caffres had received warning a few days previous of the approach of the commando, with its object, and that only the property of the colony would be taken; that they must not appear out of their huts with arms in their hand, lest some disturbance might arise (it being customary for every Caffre to carry his assegai in his hand at all times). The Boors separated, by order, into small detachments. One of which, under the command of one Pict Erasmus, a field-cornet, residing near the Kouga outpost, proceeded along the Debe flat, and swept off all the cattle feeding in large herds on the plain, making no distinction between Colonial and Caffre cattle. The chief Sieker, brother to the powerful chief T'Slambie, with many other Caffres, followed the party unarmed, that was driving off their property. The Boors seeing the Caffres following, turned and fired upon them; killed 7 or 8 Caffres, amongst whom was the chief himself. A quantity of Thiali's cattle were captured on this occasion, but on his making a complaint at Fort Willshire, his cattle were restored. A circumstance of a much later date was stated to me by the chief Botman, on the 1st October 1834, on the banks

banks of the Keiskamma River, which I shall give in his own words. At the time of the last new moon, a patrol, consisting of 20 mounted soldiers, under an officer, and another officer with a farmer from the colony, came among my people, and charged them with having stolen 10 head of cattle, whose spoor or track, it was stated, was traced to a Caffre chief's kraal (chief's name is Ghamboo); on hearing of their approach, I fled to the wood for protection. The officer cocked his gun and presented it at the heads of some of my people, and threatened to shoot them, unless they immediately brought me to them. The soldiers seized Ghamboo. The other chief fastened a thong round his neck, and brought him in this manner to the house of a trader, named James Baker (who corroborated this part of the statement), and kept him tied in this manner from the morning till the evening. The assegais of several of my people, who were quietly seated on the ground, were taken from them, and carried away by the soldiers, and several of my people were beaten on the head and shoulders with the sticks of the assegais by the officer and soldiers. Cattle, to the number of 47, were then seized and taken away by the patrol, and after they had left, a message was sent with a soldier, that I must send 20 head more cattle, with which I complied. The 10 head of cattle stolen from the farmer had been taken by a stranger, who had lately come to reside amongst Ghamboo's people. The farmer had come the day before to my place, when the cattle he had lost were offered to be restored to him, with 10 others, which he refused, and brought the patrol. As a contrast to this method of affording justice to a colonist, at the expense of the Caffres, I shall afford you an insight of what a Caffre has to expect at the hands of the British, when, in his turn, he lays a complaint of similar losses. On the 15th of May, 1834, I was travelling in the neutral country, towards the boundary of it and the Caffre country, in company with the son of a missionary—"

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1437. What is the name of the missionary?—Mr. Reid—" and my Hottentot servant; about daylight, I saw approaching on the high road, a guard of mounted soldiers, of the Cape mounted rifles, conducting two Caffres, apparently close prisoners, being fastened round their necks by a leathern thong which bound them together, sufficiently loose to admit of their walking along the road. The end of the thong was held in the hand of one trooper, the other two riding in the rear as a guard. The Caffres were stout powerful-looking men, and seeing them in this manner, being conducted towards the colony, and having heard so much of Caffre depredation, (for this was on my first arrival on the frontier) I naturally supposed them guilty of some heinous crime. My surprise was correspondingly great to learn from the troopers, that these two men were not criminals, but the plaintiffs! They had been to Fort Beaufort to lodge a complaint before the officer commanding at that outpost, against some farmer who had entered Caffreland and stolen away their cattle. The officer directed them to be tied in this degrading manner, and conducted by the troopers into Graham's Town."

1438. You saw this?—Yes.

1439. Do you know the name of the officer?—I inquired, and heard that Major Cox was in command at Fort Beaufort, but I did not hear from the troopers whether he was the officer who directed them thus to be tied. " The officer directed them to be tied in this degrading manner, and conducted by the troopers into Graham's Town, a distance of 50 miles, that they might lay their complaint before Colonel Somerset, the commandant of the frontier. I felt indignant at the recital of their story, and asked them if they willingly submitted to such a method of conduct. To this they replied, that rather than be robbed of their cattle by the Boors, they would submit to the indignity, in hopes of obtaining justice; but whether they succeeded I never learned."

1440. Had you an interpreter?—The following passage will explain that: " The Hottentot troopers spoke a little English, and through their interpretation I held communication with the Caffres; and Mr. Reid's son also spoke English and Dutch; one of the Caffres was a Ghonaqua, or a mixture between Hottentot and Caffre, he could speak Dutch."—" These two facts alone, were there not abundance of a similar nature, may account for the late irruption of the Caffres. On the 26th of May, I rode into Tambookie land to the Moravian Institution of Klip-plaat; here I was informed by Mr. Bonaty, a German missionary, that some Boors of Cradock district, in the field-cornetcy of Cobus Potgeter, had on the 22d of the same month, entered Tambookie land, on the plea of having lost eight horses, and demanded from the chief Marpas restitution. The chief called on the Boors to show the spoor or trace of the horses into his country; this they at first refused to do, saying, it was too much trouble to return and trace the spoor; however, on Marpas declining

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to comply with their demand, they pointed out a track, which proved on examination to be the spoor of the animal called the Quagga; however, the Boors, determined not to lose their intended plunder, carried off 60 head of cattle. This case was afterwards told me by a young Tambookie chief, nephew to the chief Marpas, who also stated, that only a fortnight previous, the Boors had stated they had lost five horses, and came and drove away the cattle from two kraals. Such conduct was well calculated to produce the results that have actually followed. A few days before my arrival at Klip-plaat, Colonel Somerset had been in Tambookie land, and desired the missionaries to direct Marpas to go to him in the colony. Marpas proceeded on the expedition, and intending to pass by the Winterberg, he arrived at a farm-house. The Boor, from some motive, told him that Colonel Somerset only desired to make him a prisoner, and cautioned him against going into the colony. Marpas immediately returned to his kraal, where he discovered that during his absence the Boors had entered, and stolen a considerable number of his cattle; he came to the missionary station in great distress of mind, and highly incensed against the missionaries, who, he supposed, had played him a trick to get him out of the way, whilst the Boors came after his cattle. This, of course, was denied, and seeing that I really sympathised in his distress, he allowed me to persuade him to ride into the colony, that he might lay his grievances before Colonel Somerset; and he actually accompanied me on the following day to the Kat River, where I gave him a note to the officer commanding the military outpost, requesting he would give the chief a pass into the colony; but whether he ever obtained the redress he sought, I am not aware. I shall now state a circumstance which may enable the Committee to form an idea of what measure of light may be expected to be thrown on the frontier system, by those authorities to whom the Government would most naturally look for information. The following case refers to an officer in the colony; I should prefer not mentioning his name, if that will be the means of bringing that officer into any trouble; I have not mentioned his name in the statement.

1441. The Committee are not in the habit of asking for names, unless it becomes necessary, they wish to avoid charges against individuals?—" I was passing the Glasgow missionary station of the Chumie, situated just within the Caffre frontier, at the foot of the Chumie mountain. Mr. Chalmers, the missionary, had been detailing the injustice of driving the Caffres from the beautiful and fertile country of the Gaga, on the plea of its forming part of the neutral territory from which they had lately been ejected by the military, although the colony would be in no measure benefited by the act, the ground in question being far from the colony, and the Caffres living peaceably and quietly on it; and also that when the Caffres were driven out of the Mankasana in October 1833, the Gaga was left as a part of the Caffre country,—the Hottentot troopers riding along the ridge of hills which separate that country from the Mankasana, knowing that, in obeying the orders they had received, they were to leave the Caffres in undisturbed possession of the former country. Having borne his testimony to the injustice as well as unnecessary cruelty of this measure, he mentioned an extraordinary requisition of a neighbouring magistrate. I must explain, that the chief Thiali wrote a letter to the editor of a Cape newspaper, relative to an occurrence in which this magistrate had taken a prominent part with reference to his connexion with the neighbouring Caffres; highly incensed at the letter, the magistrate demanded from Thyali the name of the writer, as the Caffre was of course obliged to employ some person who could write in the English or Dutch language; Thiali refused to give up the writer; however, as the one party mentioned the names of several persons, to each of which the chief replied, 'no;' he at length mentioned Mr. Chalmers; the chief here was silent; this fixed the imputation upon him, and immediately a declaration to the following effect was sent for Chalmers to sign: That he acknowledged himself the writer of the obnoxious letter, and deep regret at having done so: that he henceforth promises and engages never again to write or interfere in any manner with what may transpire touching the conduct of the government servants towards the Caffres; and in short, that whatever may happen he will make no report of the circumstance, but confine himself strictly to his ministerial duties as missionary. This declaration was accompanied by a threat to obtain the removal of Mr. Chalmers from Caffreland, as also to report his conduct to the directors of the society in Scotland, to which Mr. C. belongs, should he refuse to sign the paper. Mr. Chalmers, I need hardly add, indignantly refused. Mr. Weir, an artisan, corroborated this account. The motives which called for this attempt to stifle

stifle information need no comment. The interests of the white population in South Africa flow so much in one current, that in remote parts of the country the missionaries can alone be looked to for information of the many abuses existing in that unhappy country; and if by any means these can be silenced, either by threats or fair speeches, I deem it in vain for the home Government to expect correct information, unless by sending out another commission of inquiry. There are but few men I have met with in South Africa so unblinded by self-interest or party prejudice, as to give a clear opinion of the character of the system pursued as well by the government servants as the Boors and farmers; and so obtuse does habit and association render their moral vision, that the settlers of South Africa would think themselves deeply calumniated, were the character and tendency of their conduct and sentiments truly demonstrated. I have been shocked to hear the indifference with which many have spoken of shooting the Caffres, who were otherwise perhaps considered humane men, and respectable members of society. Even in Cape Town I have met the same ignorance of the true state of the frontier as might be expected in this country, excepting so far as the newspapers afford some accounts. A few visitors from India travel through the country, and having been eye-witnesses of the working of the system, openly bear their testimony against it whilst at the Cape, but they most generally return to India, and their testimony, so far as it might be of service to the home Government, is rendered ineffective; consequently if the missionaries were silenced, the coloured classes would be almost friendless; hence the necessity of a missionary, so far as benevolence may require to enter into the political relations of the people amongst whom it becomes his lot to minister; against this there has of course been a great outcry, but if this had not been the case, the people of South Africa would at this time be in a more deplorable state of bondage than that from which the slaves of the same colony have just been liberated. The ultimate and long anticipated effect of our conduct towards the Caffre nation has at length manifested itself in the outpouring of their indiscriminate vengeance on the colony—a result which, when travelling on the frontier, I expressed my surprise had not then taken place; even up to the latest hour, if we are to believe accounts from the frontier, of which we have no reason to doubt, we hear of commandoes and patrols. An officer, having been in pursuit of some horses said to have been stolen, seizes upon some cattle instead; resistance is made, and the officer is wounded. Next follows the burning of some Caffre kraals, and the Caffres driven again from the neutral ground. The chief Thiali is ordered to send a number of cattle; he remonstrates; a commando is sent into his country; his men are fired upon, two Caffres killed, and Thiali's own brother shot in the head. On the spilling of the blood of Gaika, the late Prince, from the veins of his son, the Caffres driven to desperation, boiling in anger, burst forth in all the violence of long repressed wrath. When in Cape Town I had access to the memoranda of a deceased officer who served in Africa between the years 1814 and 1820, in them he had stated numerous commandoes and patrols, day after day, on which he had been ordered to serve, noting down numbers of Caffres slain by his men, and also his own abhorrence of the system till the very hour when the Caffres burst upon the colony in 1819, and very nearly captured Graham's Town. Here we find a repetition of the same system—a repetition of the same results. To proceed: three tribes, under the brothers Pato, Cobus and Kama, alone stand aloof from this desolating irruption. Their territory lies to the south-east of Caffreland, bordering on the mouth of the Keiskamma and the sea, and at once profess themselves the friends of the traders, and afford shelter and protection to every white man or colonist who fled to them. How shall we account for this, when the Caffre nation has burst through every barrier to wreak its vengeance in deeds of horror and bloodshed on our devoted countrymen. One large and powerful tribe under these brothers should stand aloof from these heartrending scenes of slaughter, refuse to participate in the spoil of the white men, and act as mediators and friends. Are these Caffres better taught, or more merciful in their natures? No; we must trace its explanation to another source, than which nothing more clearly developes the effect of the relative policy pursued by the authorities in the frontier to the different tribes. I was informed by the missionary, and others residing amongst the above-named tribes, that no commandoes or patrols had been amongst these people for 10 or 12 years, and that few thefts were traced amongst them. Why did these people cease from stealing, or require no commandoes to keep them in order? Because they were left in undisturbed possession of their lands and cattle; their safety and their peace was guaranteed to them; more than this,

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this, they were permitted to reside unmolested on a part of the neutral territory, graze their cattle and plant their gardens; a system of equity and encouragement being pursued, there were few thefts and no commandoes. They had equal or greater facilities than Macomo's men to steal and secrete the property of the neighbouring settlers, had they been so disposed; hence in the hour of trial they remain firm friends; on the other hand, we find Macomo and Thyali driven from their houses, from the homes of their fathers, their huts burned over their heads, their people shot; at one period permitted to reside for a few months on the neutral territory, then suddenly ejected; their huts in ashes over their children's heads; their gardens, just before the ripening of their corn, destroyed; their people robbed of their cattle, and this system pursued year after year and month after month, till the very hour of the breaking out of the war. This alone can account for the otherwise wonderful difference we perceive in the conduct of distinct tribes of a people whose progress in civilization is equally the same, and whose advance in the distinguishing feature of mercy towards the enemies of their nation has been evinced by the Caffres having invariably spared the lives of the women and children who fell into their hands, being contrary to the practice of all their former wars. Thus we behold human nature acting under the influence of two systems; the one calculated to produce the lamentable results we are now called on to deplore, the other showing what might fairly have been anticipated from all the tribes in Caffreland, had justice and equity been the basis of our colonial policy, which would have retained the friendship and mutual benefit of our intercourse with the Caffres, and instead of suddenly losing a trade highly advantageous to the colony, we should shortly have doubled its produce, as well as conferring a most essential service in a moral point of view on the Aborigines of the country." Here are two cases to which I have alluded, which I have inserted as a kind of appendix; one is connected with the Caffres, the other with the Bushmen; this is a case given "By the chief Macomo and christian chief John Tymtso. Case of the traders, Bowls and Stubbs. About the 3d of September 1834, a disagreement took place between Kneuka, a chief and brother to the late T'Slambie, and some men of T'Slambie's tribe, in consequence of which the chief Kneuka permitted his people to go into a kraal of T'Slambie's tribe, and carry off 40 head of cattle; these cattle were in a kraal in which the traders, Bowls and Stubbs, had placed some of their own cattle, and which formed part of the 40 head carried away. Kneuka's men passed the house of the trader Bowls, whose people recognized the cattle; however, they were still driven forward till Gaika's men also recognized the cattle, took possession, and delivered them over to the men of the kraal, whence they were seized, who immediately drove them back to the place where they were taken. Thus things remained the same as before the attack on the kraal was made. Stubbs and another Englishman about three days after this went to Soutoo, the head of Gaika's tribe, and complained that Kneuka's men or some Caffres had stolen 100 head of cattle from them, amongst which were a number of valuable black oxen they had brought from beyond the Orange River, and at the same time threatened to send into the colony for a commando, unless restitution was made; on this threat Soutoo sent a commando of her own people, accompanied by the two Englishmen, and seized from Kneuka's people 400 head of cattle; some resistance having been made, six men were wounded. The Englishman was ordered to examine the cattle, to see if any of his were amongst them, but finding none, he demanded 100 head of the captured cattle in their place; this being complied with, he drove off his spoil, leaving 26 head at Bowls' kraal; Kneuka's people having represented the true state of this transaction to Soutoo, she applied to Bowls to restore the 26 head of cattle left at his kraal, the others having been driven into the colony. This application being without effect, Macomo, the chief regent, was applied to, who wrote the following letter to Bowls:—'Sir, I would beg you to be kind enough to give back the cattle of my people from five kraals, as I have investigated the case, and found that these five kraals are all innocent. I am, Sir, the Captain Macomo.' —To this letter Bowls thus replies: 'Maccow, September 5th, 1834.—Sir, I have just received your note at this moment; I was going to Graham's Town, to report to Colonel Somerset respecting my cattle that have been stolen from this place. There were from 70 to 80 stolen, of which number I am now eight short, exclusive of what were stolen belonging to Fauno and his people; all that I have as yet received for payment are eight young oxen, five young bulls, ten old cows, three young heifers, three calves—29; of which two cows and one calf since dead—26

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Since I have been in this place I have had my cattle repeatedly stolen, and this is the first time I have been able to detect the thieves; therefore I am determined to report the same to Colonel Somerset, and will prosecute the offenders as far as the laws of the country will allow. Yours, &c. &c. (signed) William Bowls.'—William Bowls commences by saying, that there were from 70 to 80 stolen, and that of this number he is still eight short. He then goes on to say, that of this number he has only received 26 in return for, say, the lowest number, 70, said to have been stolen; there would still be due to him 44 head of cattle, instead of the lesser number of eight which he claims; it is not to be imagined that a man of his profession and character would voluntarily concede 36 head for eight which he claims, if his statement had any foundation in truth. The whole of this case from the commencement is worthy of note, as illustrating the conduct of the traders in Caffreland, and what degree of credit may be attached to their claims upon the Caffre people." Bushman case: "Extract of a journal kept at the Bushman station, near Caledon River, 1829, December 11th. Yesterday evening we were informed that a party of farmers had shot a Bushman named Flink, about five miles from this station; this morning, accompanied by Mr. Clarke and the Hottentots of this station, Stoffel, Swaarthay and Willem, we rode to the spot, to which we were directed by a Bushman, and found the dead body of Flink covered with stones, which the Bushmen had covered in this way to prevent it being devoured by wolves or vultures; on examining the corpse we found that a bullet had entered the left thigh, and remained in some part of the body; a short distance from the spot where the deceased was lying, about 70 paces, were discernible the footmarks of five horses; we traced these footmarks to a place where a party of farmers had taken up their temporary abode; neither the Bushmen or ourselves were aware of any other party of colonists remaining near our station at this time except these persons. The Bushmen stated that it was a Boor of the name of Willem van Aswegan who had shot Flink, and that they knew him; we ascertained that the said party of Boors consisted of the following persons: Henning Suble, Willem Smid, another Suble, Barton and Willem van Aswegan. The Bushmen confessed that they had stolen two head of cattle from this Willem van Aswegan, but that Flink was quite innocent; he had unfortunately met them at the spot, when the commando attacked them, and, in endeavouring to escape up the hill, he was shot. A Caffre named Jaunary also testified that these very Boors had told him that they had lost some cattle, and that he saw them going and returning from the commando; and that the horses' traces we had followed were the traces of the horses of the Boors who had shot poor Flink. When Captain Stockenstrom visited the Bushman station, he said to Mr. Clarke and myself, that Van Aswegan confessed to his having shot the Bushman, but no further notice was taken of this transaction, as Van Aswegan afterwards denied the assertion; excepting that we received a letter from the clerk of the peace of Graaf Reinet, requesting one of us to come to Graaf Reinet to substantiate this case, but at the same time stating that it was doubtful if the Attorney-general could take cognizance of it, as the deed was perpetrated beyond the boundary. We requested, in reply, to know whether the colonial authorities had power to punish the delinquent, if the case was proved against him; to which communication we received no reply, and the murderer remains unpunished; he has not even, to our knowledge, been prohibited to cross the boundary. The Boors were all under the jurisdiction of the commissioner of Graaf Reinet."

1442. You landed at Cape Town?—I did.

1443. You staid there a fortnight?—About a fortnight or three weeks.

1444. Had you a companion in your journey?—For the first 300 miles I had a companion, an Indian officer, he returned to Cape Town, having left his family there; the remainder of my journey, till I arrived at Kat River, I was by myself, excepting that portion of my journey between Graham's Town and Kat River, where I have stated I met the troopers conducting two prisoners; at that time Mr. Reid's son was with me.

1445. Were you introduced from Cape Town by any persons to the frontier?—I had letters to some parties on the frontier from Cape Town.

1446. To whom were they addressed?—I had an introduction to the missionaries of different institutions I had to pass in the route, to enable me to inspect them, and amongst others one to Mr. Reid, the missionary at the Kat River; also letters to some of the Dutch magistrates and field cornets along my line of route.

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1447. From whom did you get them?—Some from Dr. Philip, and others from gentlemen in Cape Town.

1448. You mentioned in your statement that a great deal of information contained therein had not been what took place under your own observation, but what you received from conversation with other persons?—Yes, such was the case.

1449. Some whom you have mentioned, others you do not?—Just so; I have the names of the parties who gave me information.

1450. How many would you like to put upon the minutes?—I have no objection to name all except that of the officer of the 75th regiment, which the Committee do not desire.

1451. Perhaps you will be good enough just to mention the names of the parties from whom you received the particular information detailed in your statement?—That relative to Macomo's having been forcibly conducted from Kat River by a party of soldiers, was given to me by Mr. Reid, of Kat River, and his son, and corroborated by Hottentots on the station; the name of the person who wrote me the letter relative to the huts burning in the Guga country was Mr. Kolbie; I received the other information I have stated from other individuals, whom I will name if it is desired.

1452. How long were you on the frontier?—I was on the frontier itself about five months.

1453. Including your residence in Caffreland?—Yes, that is including my travelling in that country; I did not reside in Caffreland at all.

1454. In your intercourse with the Caffre chiefs, how did you manage to get an interpreter?—There was generally some person at the missionary stations; John Tymtso, the christian chief, was the chief interpreter when I met four or five Caffre chiefs in council.

1455. When those Caffre chiefs gave you an account of their hardships, you took them *cum grano salis*, of course?—I could form no judgment of the truth, or otherwise, of their reports.

1456. If you had gone on the other side of the frontier and talked to a Dutch Boor, he would probably have given you a very opposite account?—Yes, probably.

1457. Then you would have had to judge between two parties?—Yes, I should form my judgment from the general character of the people, and the object they might have in deceiving me, or otherwise.

1458. Have you not drawn conclusions that would be likely to lead to error in consequence of only having heard one side of the question?—I heard only one side of the question from the Caffres, but I have heard the other side of the question from the colonists, from the English settlers in Albany, and have drawn my conclusions accordingly; their statements have generally been on the opposite side; theirs have been complaints of the conduct of the Caffres themselves; complaints of want of protection from the Cape government against the Caffres.

1459. The correspondence you have had with the British settlers is not alluded to in your statement as regards the Caffres?—No.

1460. But you still adhere to the opinions pointed out in your statement?—I do with regard to the Caffre nation and the commando system; in my communications with the colonists they do not deny the inefficiency of the system, and say that they do not receive the protection they require.

1461. The Committee conceived that the complaints were between the Caffres and the Boors, and not the English settlers?—I have heard the English settlers complained of by the Caffres.

1462. The chief complaint is against the conduct of the Boors?—The chief complaint is against the commando system, and also when I was in Tambuckland it was undoubtedly against the Boors and not the settlers; the settlers had little access to the Tamhanhies, they are removed to a distance from them.

1463. You spoke of the exemplary conduct of three of the Caffre chiefs, Pato, Cobus and Kama, they are settled on the Keiskamma, near the sea, are they not?—On the other side of the Becka.

1464. They are in close contact with the British settlers, are they not?—They are in closer contact with the British settlers than the Dutch, the Dutch being much higher up.

1465. Then the Committee may draw a favourable inference from the facts you have stated, that the British settlers in that part have behaved very well to the Caffre chiefs, inasmuch as there has been no aggression on their part?—As far as I have heard, there are not those complaints of the English farmers as there are against

against the Dutch farmers; but there are those complaints against some of the English traders in Caffreland.

1466. In going higher up where you approach the Dutch locations, there it is that the commando system is more complained of?—Yes, I did not hear personally any complaint when I was at Westleville, a station situated amongst the people of Pato's tribe, in whose vicinity are located the English settlers, but within the colony.

1467. Then a great part of what you consider the difficulties in the way of an amicable arrangement between the colonists and the Caffres, consists more in the commando system than any other?—Chiefly in that system.

1468. Have you considered at all how you would obviate those difficulties in future?—I have certainly heard much conversation on the frontier on the acknowledged difficulties of arranging some system.

1469. Have you not thought of some plan in your own mind?—It appears to me that the foundation of the system, whatever it should be, would be what Captain Stockenstrom has stated, that of equal justice between man and man; that is, the same system of international justice should be established between the British nation and the Caffres, as between the British nation and any European nation; and possibly the plan of a civil commissioner or political agent, with a body of police stationed on the frontier, through whom all intercourse between the colonists and the Caffres take place might be arranged, something similar to the system on some of our frontier districts in India; the military not to be employed at all excepting under the direction of the civil commissioner or political agent; that is the idea I have formed myself on the subject, but it is acknowledged in Africa itself to be one of very great difficulty.

1470. Do you think that if the same system were observed in our dealings with the natives of South Africa as are observed with the border natives of India, we should maintain peace in Africa as we do in India?—I do.

1471. Do you think it would be a great advance in improvement to adopt the same system in Africa as is adopted in India?—I do.

1472. Will you explain that?—I was passing through the district of Masulipatam about two or three years ago; a magistrate at that period, with whom I was residing, stated that the district of Masulipatam had been infested by robbers from the neighbouring country of the Niyam, of Hyderabad; that by order of the government no soldier was permitted to enter into the Niyam's country to follow up the robbers or depredators, but civil police alone were employed under the orders of the civil magistrate; on some occasions whole villages were plundered, and baggage could not be conveyed without an escort, but on no occasion did he employ any military; that the civil police alone were employed, who, if they had any track, followed the marauders into the Niyam's country, who employed his own military within his own territory in conjunction with our civil police in putting down the robbers, and in the course of a very few months it had considerably decreased.

1473. Do you suppose that, for a long time to come at all events, the Caffres will be in that state of civilization to admit of their performing their part of the contract; if the Caffres stole cattle from the British territory, do you imagine that through the intervention of the chiefs only those cattle could be brought back?—I think that the greater portion of those thefts would be discovered, and that the cattle would either be restored, or an equivalent would be awarded by the Caffre chiefs, provided a system of equity and justice were adopted towards the Caffres.

1474. The Hottentots make very good soldiers?—So I understand.

1475. Did you see any of them?—Yes, I saw the Hottentot troops.

1476. You would not recommend that they should be done away with?—Certainly not.

1477. Perhaps you would recommend that they should be increased, being the soldiers of the country?—Yes; I think under present circumstances there should be another regiment raised.

1478. Is it your wish there should be a greater quantity of troops placed upon the border than there has been?—No, certainly not. I should say employ civil police.

1479. How many troops have been employed on the frontier?—At the time I was there there was one European regiment in Graham's Town, partly broken up in small detachments, and a detachment of artillery and the Hottentot mounted corps.

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1480. A regiment, or part of a regiment, would be necessary for garrison duty in the town, would it not?—Yes, it would.

1481. Then it would be a Hottentot corps who would be employed?—Yes; Colonel Wade can answer that question better than I can; before the breaking out of this war, or before the crisis that led to it, I should think there was no occasion whatever for the increase of troops; possibly, since the breaking out of the war, and the excitement which has arisen, there may be a necessity for troops, of which I am not able to judge.

1482. Supposing the Hottentot corps amounts only to 200 men, acting principally as an armed police, would you think that 200 men was sufficient to guard the frontier?—As a military force to guard the frontier, certainly not.

1483. Do not you think that, in the scattered nature of the country, it would be difficult to get a police of the character you have described?—I think the Hottentots are extremely well suited to it.

1484. It must be by Hottentots?—I think that they would make the best police for that country.

1485. After all, you consider that an additional force of some description would be necessary?—Possibly, after this war; of that I am not able to judge; I think before the war, or had the causes been removed which led to it, an increase of troops would have been necessary.

1486. Provided there were no soldiers on the frontier, and the Boors had their cattle stolen, what remedy would you give to them; would you have them apply to the Caffre chiefs?—No, not personally.

1487. Would you wish there should be a civil force, under the direction of a civil commissioner, in preference to the plans which have been adopted?—Yes.

1488. But still that it should be by Hottentots?—I think the Hottentots better fitted for that description of service than any other description of men, particularly than Europeans; the natives of the country are able to trace the track of cattle better than Europeans; a blade of grass, or a little sand turned, will enable them to ascertain the direction cattle have taken; and they better understand the method of travelling through the country.

1489. You must be aware that, in the statements you have given, you have complained of the system, and in a great measure of men who reside on the frontier, for their conduct to the Caffres; on a review of what has been stated, do you still adhere to the same opinions?—I do.

1490. Was it a matter of surprise to you that the war broke out with the Caffres, from what you had seen last autumn?—Not at all; when I was in Graham's Town, on the frontier, when there was no idea of any thing of the kind about to take place, I expressed my surprise that the Caffres did not attack the colony.

1491. Did your surprise arise from a supposition that the colonists were weak, or did it arise from a conviction that the treatment was such as to exasperate the people against us?—That the conduct was such as to exasperate the people so much as to make them unmindful of their own weakness and inefficiency in an attack upon the colony, and that at all hazards they were impelled to wreak their wrath upon the colony.

1492. Would it be going too far to say that they were goaded to a degree of desperation, and that that produced the war?—I should say, in my opinion, that was the case, that they were goaded on to the war. I merely give that as an opinion.

1493. You have said that during the time you, a stranger to the colony, were upon the frontier, you heard of a great variety of instances in which military expeditions had been sent into the Caffre country?—Yes; I did hear of very many instances in which the military were employed in patrols within the Caffre boundary.

1494. Had you any intercourse with the Hottentots which enabled you to form any estimate of their conduct and character, the situation which they formerly held, and the situation to which they have been now elevated by the 50th ordinance?—I resided at the Kat River for four or five weeks; during which time I had constant intercourse with the Hottentots at the Kat River; and I was very much struck with the improved condition of the Hottentots there, compared with what I had read of the Hottentots in former years, and what I had heard of what they were formerly.

1495. Did you find that the Hottentots there stationed were willing to undertake large and laborious works?—Inasmuch as the improvement of their locations, cutting

cutting canals to draw out the water on their lands; and, in fact, if I am allowed to speak in this manner, Captain Stockenstrom's statement regarding the condition of the Kat River locations at the time he left them, is such as I can most fully corroborate it as being a correct description of their improved condition, as I left them in October of last year. Capt. *C. Bradford.* 28 August 1835.

1496. Did they not seem elevated in civilization?—They were very anxious for education. I was present at the examination of their schools, and was witness to the very great advance they had made in reading and writing, and the common simple elements of education, and the anxiety with which the old as well as the young came to the Sunday schools to obtain the instruction.

1497. How many did you see assembled together on the Sunday?—I have seen as many, I should think, as 400 children assembled at an examination of the schools at Kat River.

1498. Did it appear to you that they answered as well the questions put to them as an equal number of English children, who had had the same period of education?—Many of the children showed a great deal of shrewdness and intelligence, and answered the questions extremely well; of course there must be great difference of capacity between children.

1499. Did you hear that those Hottentots were much addicted to drunkenness?—Not at the Kat River; I did hear, when I passed through different villages and towns in the colony, there were repeated complaints of the drunkenness of the Hottentots, and I certainly saw many in the vicinity of canteens; spirits are sold at a very low rate. I never heard of a single instance of drunkenness at the Kat River.

1500. Are there any canteens at the Kat River?—No.

1501. Do you know whether the non-allowance of canteens there had originated in a petition presented by the Hottentots themselves, that they might not be allowed?—I was given to understand that the Hottentots had sent in a petition to government that no canteens should be allowed at the Kat River; and in the Temperance Society, when I was there, they numbered 1,600 Hottentots.

1502. How many is the whole population of the Kat River?—I understood something under 5,000.

1503. Amongst the population whom you saw, during a residence of five weeks at the Kat River, in which you communicated constantly with the natives, did you see a single instance of intoxication?—Not one.

1504. Did you hear that any number of those persons raised from so low a station had been guilty of crimes of which they had been convicted before the magistrates?—No, I did not. I heard of one instance which took place; I do not exactly recollect when, but only one instance; and I rather think that is the one Captain Stockenstrom mentioned in his evidence, from the circumstance of two cows being stolen.

1505. Did you feel that your property was secure while you were in that location?—Perfectly so.

1506. Did the people seem happy and contented?—Perfectly so; more so to appearance than at the missionary stations in the colony; there was a marked difference in the expression of their countenance to that I noticed in the other part of the colony.

1507. Had you ever seen the Hottentots during the time they were in that state of bondage in which they were previously to the 50th ordinance?—No, I had never been in the colony before.

1508. Have you seen persons in slavery in any part of the world?—So far, that the slaves were just liberated at the time I arrived, at least under the apprentice system.

1509. Upon the whole, do you represent the colony of Kat settlement as prosperous, the people as industrious and as moral as people are usually in locations; and that altogether that experiment has entirely answered the expectations that were entertained of it?—I should say yes; at least all expectations that I had heard were entertained of it; I should say, that the Hottentots at the Kat River were, generally speaking, a more moral and a better conducted class than a very great number of the lower class of settlers residing in South Africa.

1510. Does a person found drunk at Kat River cause an expulsion immediately?—I have never heard a particular instance of a person being found drunk at Kat River.

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1511. Have you visited Ghenadendal?—Yes, I have; I was a few hours there; I just went into the church, and saw the people at public worship.

1512. The plan at Kat River is similar to that at Ghenadendal, is it?—No, it is quite different.

1513. Do you happen to know whether an experiment was made in the neighbourhood of Kat River of some natives who were instructed in matters tending to civilization, without the introduction of Christianity?—No, I have not heard of that circumstance.

1514. You have drawn out some notes respecting the Hottentots, will you have the goodness to read them?—

[*The same were read, as follows:*]

Having journeyed between seven or eight hundred miles, visiting the villages and missionary stations scattered along the line of my route, I arrived about the middle of May 1834, at the Hottentot settlement of the Kat River; here I was forcibly struck with the cheerful and happy demeanor of the Hottentots, as well children as adults, compared with the general feature of the same class of persons whom I had met in the colony. Though, in point of law, the latter are as free from restraint as the former, still there is a buoyancy of spirits, a vivacity on the countenances of the Kat River Hottentots, which I in vain looked for in the colony. This I can alone attribute to the independence of their situation as possessors of land, and freedom from a vassalage, the recollection of which, from long habit, operates to depress the minds of those still residing amongst their former masters and oppressors, having so recently been emancipated from a system by which it was illegal for a man of colour to be possessed of a single rood of land, or to move even a few miles to purchase the common necessaries of life, without a written permission from some petty authority. The missionary stations became at that period his only refuge. These stations have not, however, the means of furnishing support for the numbers who still flock to them, nor can they afford to allot lands as permanent property to individual Hottentots; the consequence has been a want of that impulse which a sense of personal or individual interest in property would give to exertion, and the Hottentot is therefore, with some show of justice, accused of indolent habits, yet such habits are naturally engendered by the very position in which they are placed, for it would be contrary to sound principles to expect laborious exertion on the part of individuals, unless we supply them with a sufficient motive or stimulus; hence it is of paramount importance to the future condition of the Hottentot population, and, considering their numerical strength and advance in civilization, to the well-being and prosperity of the colony, that some measure should be adopted, not by coercion but encouragement, to train up so large a class in industrious habits; for this purpose, in addition to the lands at the missionary institutions, government might resume tracts of land in the vicinity of the country towns, or missionary institutions, to confer in perpetuity upon that class. When land is constantly put up to sale at such very low prices, the expense to government would be so trifling as to be scarce worth mentioning; and that something of the kind is absolutely necessary, as well as our duty, we find acknowledged by Colonel Wade, in Council, at the Cape of Good Hope, though on that occasion he proposed to give all the colonial waste lands, whereas I am given to understand, the whole of the colonial lands available to the purposes of life are already disposed of. Such a gift should be made under certain conditions; that is, the land in question should be inalienable from the coloured classes for a given number, say 20 years. Such also should be the tenure under which the lands at the Kat River should be assigned to the present occupiers. The object is of course to prevent the Hottentot, either by temptation or fraud, being ejected by the white inhabitants, which would most probably be the result were he left to himself. The act itself, as acknowledged by the advocates for the vagrant ordinance, would be one only of simple justice as well as of common humanity to a starving population, it would be the best measure to render industrious a large and increasing population, improve the condition of the country by the cultivation of extensive tracts of land, which are now only made use of as sheep-walks, or on which to herd a few hundred head of cattle yielding little or no revenue by gradually improving the coloured classes, by holding out a stimulus to exertion, increasing their artificial wants, at the same time affording them the means by personal activity, of gratifying their newly-acquired tastes and habits, together with the inducements of independence, and teaching them to respect themselves, we shall raise up a class of persons who will prove the wealth and strength of the country, as Waterboer, the Griqua chief, is now on the north-east frontier, we shall enhance the value of all lands, stimulate the Dutch boors to exertion, produce an immense demand for our European manufactures and produce, and in a very few years the increase in the revenue will more than repay the first trifling outlay. The Kat River establishment has not been in existence more than five years, and the taxes paid by its inhabitants, their improved mode of dress, the comfort in many of their houses, and advance in education, are a sufficient proof of the result that may be anticipated, together with the fact that they have just subscribed a sum to the amount of 499*l.*, partly in money, part in material, to build a new church, and had also prepared to lay the foundation of another before I quitted them. Respecting Waterboer and the Griquas, over whom he is chief, I conclude your honourable Committee are in possession of a copy of the treaty lately entered into with him by Sir Benjamin D'Urban. The other chief of the Griquas, whose country is immediately north-east of the district of Hantam,

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Hantam, Adam Cock by name, I met with at the Kat River when he arrived in expectation of the governor's presence on the frontier. He is possessed of considerable property, his sheep amounting to 10,000, cattle 500, horses 250, and five waggons. His people consist of Griquas dressed in European costume, Coronnas and bushmen possessed of numerous flocks and herds of cattle. He complained bitterly that every fountain and river in his country had been seized upon by the boors who had migrated from the colony to depasture his country. That at that period there were 600 boors, with their flocks and herds, who had driven his people from their places and property. The chief's statement was corroborated by an European who had resided, by permission, in his country, and who stated that unless the Cape authorities attended to the chief's petition, and caused the boors to return within the colony, that the whole of this rising class must be ruined, or fall back upon the more northern tribes. They had considerably progressed in education and civilization. The danger of driving such persons to predatory habits must present itself to every thinking person. The same gentleman who corroborated Adam Cock's statement, adverted also to the state of the bushmen on the north-east frontier, the oppressions they suffer from the boors into whose service they are compelled to enter, and the necessity there existed that the government should adopt some efficient measure to ascertain the number of bushmen residing in the service of the boors when each bushman became subject to his present master. The wish of the bushman, if such service be with his free consent, should be ascertained, and the certificates of contract should be examined. As there is much reason to believe that the bushmen on that frontier are in a perfect state of slavery, under another name, an instance in point will perhaps make the case more clear. A boor not very long since went to a missionary station in the Griqua country, and claimed two bushmen residing on the station as his servants under contract, who he stated had run away from his service. The bushmen were known on the station, and also denied the servitude. The boor, however, pulled them out of their huts, and forced them away into the colony. The missionary complained to the field cornet of the district, and insisted upon seeing the register of the contract, or that the bushmen should be released. It ultimately proved that the whole was false, and the boor was obliged to give up his claim; we do not hear that any punishment of the boor ensued. In this instance we find the field cornet forced to do his duty, by the energy of the missionary; but when we hear of the magistrate and civil commissioner of one of the most extensive frontier districts saying that he found it necessary to wink at the illegal or misconduct of the boors, we can hope for but little justice towards the poor natives from the hands of the petty functionaries, such as field cornets and field commandants, some of whom I understand are so ignorant as to be incapable of signing their own names. Accompanying, is a single bushman case which will illustrate the inhumanity of some of the frontier farmers. Regarding the conduct of the local authorities in the country districts, a very respectable settler in Albany, when conversing on the subject of the Vagrant Act, expressed his opinion that they were only deterred from acts of injustice by the fear of being ejected from their situations from the known probity of the present governor, and that the power of dispensing its several enactments may, without fear of detection, be abused to an almost unlimited degree in the districts far removed from the watchful eye of Sir Benjamin; hence the urgency with which it is advocated, together with the known result of the Hottentots being forced into service at whatever wages it may please the master to give. The interests of these functionaries are blended with the remaining portion of the white inhabitants. They are equally prejudiced against the colour d classes, and identify their sentiments with the popular outcry against the aborigines, whose services they would secure at the lowest possible rate of remuneration. The correctness of their reports as to the necessities of the country may well be received with caution, when their personal interests and prejudices preponderate so heavily against those very persons whom it would become their duty to defend from the oppression and exaction of the surrounding cultivators of the soil. The fact of every magistrate and civil commissioner, excepting Mr. Van Riet, of Nitenage, having given his opinion in favour of the Vagrant Act, together with a petition from 82 Hottentots of the Kat River to the same effect, would seem to establish its necessity, did we not know the above connexion to exist between the magistrates and the white inhabitants, who in very many cases in the Dutch districts, are united by family ties of relationship, binding together many families as one man; together with the positive fact, that the Hottentot petition was carried about for signature by two field cornets, or petty justices of the peace, and that many who signed have since confessed that they were told it was a petition to some other purport, and earnestly desired to do away with the ill effect of the requisition. Other Hottentots at the Kat River openly told me that, although possessed of property, they would migrate from the colony and reside amongst the uncivilized northern tribes, rather than be subject to its oppressive provisions. An instance of the conduct of the field cornets came before me at the Kat River; sixteen Hottentots arrived from the Snewberg, with their families and flocks, having been directed by the boors, by the field cornet's orders, to enter into permanent contracts of service or proceed to the Kat River; they preferred the latter. On the road, in consequence of the drought, they lost a considerable number of sheep. When they arrived, the civil commissioner of Graham's Town informed them that government had not issued any order of the kind, and that at the Kat River there was no space for them. And again on my return from the eastern frontier, I found during the agitation of the Vagrant Act question, hundreds of Hottentots had fled to the several missionary stations for protection from the boors and justices of the peace; and at George Town the chief magistrate had, only the week prior to my passing through, cancelled fifty illegal contracts of service into which the Hottentots had been forced by the field cornets, the whole having come to his knowledge by mere

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accident. These instances are sufficient to prove the character of the Vagrant Act itself, together with the object of its advocates, and may throw some light on the measure of justice that may exist in the remote districts. I shall merely add that in a journey of upwards of 2,000 miles within the colony, I met with only one or two parties of travellers of the coloured population, and from repeated conversations I have held with the Dutch and English farmers, the impression is left on my mind, that a selfish desire of personal aggrandizement at the expense of the coloured classes is alone the motive of the white inhabitants. I should not omit to state that since the establishment of the Kat River settlement, now five years, I am given to understand there has not been one criminal conviction of any one of its members, and in Judge Kekewich's address to the grand jury in Cape Town, in October last year, he commented on the decrease of crime annually since the year 1830, shortly after the passing of the 50th Ordinance, removing the disabilities under which the Hottentot was placed; and in the present year making a decrease of 26, compared with 1830, being 42 to 65.

In conclusion, I must solicit your honourable Committee will bear in mind that I do not hold myself responsible for the truth of such statements as I have given on the authority of others, by their authority they must either stand or fall; all I can assert is, that such opportunities as I possessed of gaining information, I made use of simply for my own gratification, having no further interest in the colony than that of a passing stranger, and so much as any benevolent mind must feel which welcomes the good and deprecates the evils of the society through which he may walk. I have, therefore, so far as was consistent with the full understanding of the subject, concealed the names of individuals, imagining that it is the system with which you desire to be made acquainted, and not the exposure to the public of those persons who have, unfortunately for themselves, been its supporters. I have no reason whatever to doubt the truth of those statements whose veracity must depend upon the testimony of strangers, who could have no possible interest in deceiving a traveller, whom they had never before seen, and whom they would probably never meet again. And in giving you the general impression left on my own mind, I give you the result of considerable observation and much toil, uninfluenced by party or personal feeling, and the opinion of one who is only desirous to render his information subservient to the welfare of the state.

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*Lunæ*, 31° *die Augusti*, 1835.

## THOMAS FOWELL BUXTON, ESQUIRE, IN THE CHAIR.

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*Saxe Bannister*, Esq., called in; and Examined.

*S. Bannister*, Esq.

31 August 1835.

1515. HAVE you had opportunities of observing the conduct of our officers in the colonies towards the native inhabitants?—I have.

1516. In what colonies?—Personally, in New South Wales and the Cape of Good Hope, and having affairs to conduct in the Canadas, and from extensive inquiries in New Zealand, Van Dieman's Land, and in the South Seas.

1517. Have you ever been in Van Dieman's Land?—Yes, I have; but for a very short time.

1518. How long were you at the Cape of Good Hope?—From about March 1827 until July 1829; and in New South Wales, from 1824 to 1826; my first acquaintance with the Canadas was in 1822, so that my practical acquaintance with the affairs of the Aborigines of the different colonies was from 1822 till I left the Cape of Good Hope in 1829; since that time my acquaintance arises from a careful examination of such subjects.

1519. What part of the frontier of the Cape colony did you visit?—I visited the Caffres. I was upon the frontier of the Cape in 1828.

1520. Had you much communication with the Caffres?—I saw as much of them as could be done by riding about the country for a few weeks. I was six weeks in the Caffreland, and at Graham's Town and Bethelsdorf, riding about alone, with a Caffre guide, on horseback, and I visited missionary stations of all denominations, Moravian, London, Glasgow and Wesleyan.

1521. Had you any colloquial intercourse with them by means of an interpreter? Yes, I had frequently; I saw as many of the chiefs as I could find means of access to; my guide was a Caffre, who had lived many years in the colony, and spoke English very well, he had been servant to the Rev. Mr. Wright.

1522. Did your observation enable you to form a determinate judgment of the dispositions and habits of the Caffres?—Yes; I formed an opinion upon that subject.

1523. Will

1523. Will you state the conclusion at which you arrived?—I think they are capable of any degree of civilization which any nation may attain. I think I saw enough of them to justify that opinion as to their general capacity. I think their state of society approaches much more to the barbarian than the savage. I have no doubt that they have fixed laws upon many points.

1524. Do you conceive that they are perfectly competent to discern between justice and injustice?—I have no doubt of it, I think they have among them various systems of rewards and punishments, punishments more particularly than rewards. They have the elements of a civil community. I will mention one fact, which, if I am correct, is very curious, and shows to what extent their respect for *meum* and *tuum* is carried; I think that upon a theft being committed, and it being suspected that A. B. is the thief, it is necessary to have a warrant before his hut is broken into, in which it is supposed the matter stolen is deposited; that is to say, it is necessary to have the authority of the head of the village before the hut can be broken into; if that be correct, as I believe it is, it shows that their civil polity is very high.

1525. Is that warrant generally granted upon regular information being tendered?—I am not aware what sort of evidence they require; but my impression is, that the hut cannot be entered without some proof. I think the authority would be granted upon the information of the parties complaining.

1526. Had you any opportunity of ascertaining any thing with regard to the system of commandoes and patrols at the Cape of Good Hope?—Yes, I examined that subject, but I think I am hardly prepared to go into a detail of the reasons upon which I should object, to what is commonly called the commando system.

1527. Are you prepared to state your views with regard to the general treatment of the aboriginal inhabitants of countries upon which we border, or with which we are connected?—Yes.

1528. Will you state what methods you will adopt for the purpose of introducing civilization and christianity amongst those aboriginal inhabitants?—I would say in the first instance, that the documents and the proceedings which show our relations with the Aborigines are not enough known, and unless from day to day, and from year to year, more is known in England of what passes in all the colonies, and more is known in each colony of what is passing in other colonies, it is extremely probable there will be a recurrence of mistakes leading to fatal consequences, such as are now within almost daily experience. I would say, that unless that be done to start with, we do nothing; and I would say, that there should be a system of publicity, to a very extensive degree, immediately instituted.

1529. Has there occurred to you any mode by which that publicity could be given?—I think there might be, without any inconvenience, in each colony published, the orders issued from the government; the orders upon which, either the functionaries are to act, or upon which the intercourse between the borders and the natives is to be carried on. Frequently orders exist in manuscript, and frequently prosecutions have been carried on in various parts of the world, upon the breach of local laws and orders which have been so in manuscript. Now, it appears to me that the expense of such publication will be quite inconsiderable, compared with the advantage. All existing laws and regulations should be published; but though I would have a much more frequent publication, even of the reports of functionaries, it is possible that particular cases might arise in which there might be occasion for a prudent suppression of the report; but generally functionaries' reports should be published; then there should be a very careful report of all trials of all sorts. Some trials do come out now to a certain extent, but there is nothing like a universal printing of those cases.

1530. Does any mode occur to you in which we could obtain an universal publication of all trials?—Yes, the authorities in each colony would print their own, and copies might be laid before Parliament. It is frequently happening that some good measure is devised in one colony, which after a time finds its way into another. The advantage of printing, and sending to each colony what is happening amongst its neighbours, would be, that each would be judged of by impartial people in other circumstances, and frequently would be adopted, so that they would have an interchange; but they ought all to come home. Then I would have provided the means of learning the aboriginal languages upon an extensive scale. It was begun with some advantage at the Cape of Good Hope. In my time, in New South Wales we could not find an interpreter to come into any court of justice in the country. A missionary had recently learned something of the language, but he

*S. Bannister*, Esq.

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was not always to be had, and we had again and again to ask questions of Aborigines, without means of ascertaining what they meant. Then we ought forthwith to begin, at least, to reduce the laws, and the usages of the aboriginal tribes to language; print them, and direct our courts of justice to respect those laws in proper cases. The same state of things would then arise as existed all over Europe in the middle ages. Courts of justice had half a dozen sets of laws, which they executed without great difficulty. Just as now, the privy council have to take notice of many sets of laws, so in each colony the judges would have to pay proper regard to the laws of the Aborigines, as for example, in the Cape of Good Hope to the laws of the Caffres. Generally they would not be very unlike our own, and upon knowing the shades of difference, we should, with much greater facility, bring them into an uniformity with our own; in cases where they varied, they ought to have the benefit of that variety. The fourth point I would mention is, that no native who has not the practice in his own country of making an oath in a court of justice, should be compelled to take an oath in our courts; he should be admitted as a witness upon the same terms as regulate him in his own country. At this moment, I believe in Canada; I know it was so when I made particular inquiry in 1822; and is was so in New South Wales up to 1827; our law on this point constantly stopped justice. Men, whom we should have believed upon the most important occasions elsewhere, are not heard in courts. If the commander of the troops wants information as to where an enemy was, he believes the same individual without the slightest hesitation, who is rejected if brought into the witness box; the first thing he has to do then is, to make an oath, and he has no form of oath. If he is a Hindoo or a Mahometan, we adopt the form of oath he uses. But the New Zealander, the Australian, the Caffre and the Indian, have no such usage. I have seen again and again cases of great hardship on this subject; for example, the New Zealanders serve in numbers on board our ships, and they are often ill-used by the captains. They come to Sydney, and willingly submit themselves to our courts of justice, upon demands for wages or complaints of assaults, but we refuse to hear them. It has occurred to me half a dozen times, as attorney general of New South Wales, to have such cases in my hands. This stops the civilization of these people at the threshold, and it would be just and wise to pass a law, making their evidence admissible without oath in all cases.

1531. You come to this conclusion in consequence of the experience you had while you held the office of attorney general in New South Wales?—Yes; and in consequence of having specially inquired into it, in reference to the Canadas, as early as 1822, when I communicated with our colonial lawyers on the point. I found the same thing at the Cape of Good Hope in 1828, and believe the matter is notorious.

1532. Have you any other suggestions to offer to the Committee?—I would have juries *de medietate* to a certain extent where practicable; and if it cannot be arranged to have juries half of Aborigines, to have at least some as assessors. Again, it is a principal point to be established in all the colonies, that justice be administered equally to the Aborigines as to the whites. The transportation report of 1812 noticed the fact, that where Aborigines were injured by a white man, the punishment was very slight; but in the same case, if the party injured were white, this punishment would have been severe. So in New South Wales, 30 years ago, there were atrocious murders of some of the Aborigines; the murderers were tried, and there was no doubt of their guilt, but the governor at the time thought it his duty to suspend execution. Now, if it had been the case of white people, execution would have followed immediately. After five years, the home government sent the case back, and execution was never done. In my own time, something of the same sort occurred; a case in which a little boy was murdered, and it was difficult to find any extenuating motive. The parties were condemned under circumstances, not leaving the slighest ground of doubt, but the men were not executed. If it had been a black man killing a white person in the same circumstances, there is no doubt execution would have followed. These are cases, showing that we do not, in the ordinary course, deal out equal justice in regard to those people.

1533. Do you consider that the Aborigines of New South Wales are capable of appreciating the atrocity of the crimes to which you have referred?—Unquestionably; justice not being done in such cases tends directly to occasion dissatisfaction and revenge on the part of the natives; and impunity encourages the colonists to hold the lives of the natives cheap.

[*The Witness was obliged to attend another Committee; and left the following heads of measures, which have appeared to him proper to be adopted in the particular Colonies specified, and also, other heads for all the Colonies.*]

S. Bannister, Esq.

31 August 1835.

PAPER delivered to Mr. *Buxton* the 19th August 1835.

For the COMMITTEE of the HOUSE of COMMONS, appointed to inquire into the State of the ABORIGINES of the COLONIES.

1. Measures affecting all the Colonies.
2. Measures affecting the Canadas and all the North American Colonies.
3. Measures affecting New South Wales.
4. Measures affecting Van Dieman's Land.
5. Measures affecting Swan River and all new Australian Colonies.
6. Measures affecting New Zealand and the South Seas.
7. Measures affecting the Hottentots.
8. Measures affecting the Caffres.

STATE of certain MEASURES which appear to me to be indispensable towards ensuring Justice to the ABORIGINES of the COLONIES, and which heads may be developed by such details as the Committee shall require.

1.—MEASURES affecting all the Colonies.

(a) That appeal to the Privy Council be put upon a proper footing, and that appeals from the Aborigines be heard as of right before the Judicial Committee of the Council.

The necessity of a new system of Privy Council Appeals for the Aborigines of Colonies is proved by the fact, that the last occupied 70 years on the old system.

(b) War not to be made without form. One tribe of Aborigines not to be set up to fight another tribe. All instructions which authorize Governors of Colonies to kill the Aborigines without form of law to be recalled.

(c) Land to be given in the Colonies to Aborigines, and the rights of Aborigines to their own land to be respected. Maps and boundaries to be made.

(d) Establish civil agencies upon the plan of the United States' Indian Code of 1834, but add surgeons to the establishment, or take the superintendents from the medical profession.

(e) Grant sums of money to each of the existing Missionary Societies, in proportion to their present expenditure on the one hand, and to the wants of the Aborigines on the other.

(f) Conferences to be periodically held with the Border Chief, and minute reports of the proceedings and speeches to be always printed in the Aboriginal and English languages.

(g) Appoint an agent in London for the affairs of the Aborigines of all the Colonies, like an ordinary colonial agent. Let him be appointed by the Privy Council, not by the Secretary of State for the Colonies. Let him have authority to communicate direct with the Aborigines. Let him make annual reports to Parliament, as the Board of Trade did under William the Third and Queen Anne during 14 or 15 years.

(h) Employ Aborigines as much as possible as public officers.

Many points of law specially affecting the Aborigines require attention in all the Colonies, but the details are too minute to be expressed in short heads.

2.—MEASURES affecting the *Canadas* and all the *North American* Colonies.

(a) Reform the Indian department as proposed in 1822–3, and as begun in 1828.

(b) Print the plan of the Reform presented to the Secretary of State for the Colonies in 1823, and approved by the Hon. Dr. Stuart, since Bishop of Quebec.

(c) Print the case of the Mowhawk lands appealed upon in 1822.

(d) Print an abstract of the plans of Dr. Morse and the American Indian Society, founded by Dr. Morse in 1822.

(e) Print the Indian Code of Congress of 1834.

3.—MEASURES affecting *New South Wales*.

(a) Gradually abolish the transportation.

(b) Print the plans of the Church Corporations begun in 1826, and their result.

4.—MEASURES affecting *Van Dieman's Land*.

(a) Abolish gradually transportation.

(b) Print all the recent dispatches on Colonel Arthur's system for the Aborigines, and the objections made to it.

5.—MEASURES affecting the *Swan River* and other new *Australian* Colonies.

(a) Make treaties with the natives before proceeding farther.

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6.—Measures affecting *New Zealand* and the *South Sea Islands.*

(a) Print all the dispatches and plans concerning the Aborigines of these countries received by the Government in the last ten years, and especially the details upon the late attack upon the settlement in New Zealand.

(b) Print periodically such parts of the logs of all ships as sail in the South Seas, and as concern affrays with the Aborigines.

(c) Invite New Zealand chiefs to come to Sydney periodically to confer with the Governor and Council.

7.—Measures affecting the *Hottentots* of the different races.

(a) Grant them lands in the Cape Colony.

(b) Invite the chiefs of the Griquas to hold periodical conferences at Cape Town with the Governor and Council.

8.—Measures affecting the *Caffres.*

(a) Compensate them for the injuries they have sustained since 1820, and especially do justice to Macomo.

(b) Hold conferences with all the chiefs to settle their compensation, and to arrange a new border system.

(c) Annul the proclamation and orders of Governor Sir B. D'Urban of the 10th of May 1835 respecting Caffreland.

(d) Establish civil agencies amongst the tribes to Natal.

(e) Invite the chiefs as in N° 7 (b).

(f) Establish the colony of Natal upon the principles proposed to the Government in 1829.

*Thomas Philipps*, Esq., called in; and further Examined.

*T. Philipps*, Esq.

1534. YOU were present when an address to Captain Stockenstrom from the English settlers in the Albany district was brought before the Committee, were you the organ, as he stated, for presenting that address to him?—I was.

1535. What were the circumstances under which that address originated?—We had been just about that time disappointed upon the subject of having a lieutenant-governor to reside amongst us; and as we considered that Captain Stockenstrom, in his appointment as commissioner-general, had nearly all the powers of a lieutenant-governor, it was suggested to me by a mutual friend of the civil commissioner of Albany, that we should draw up an address to him for the purpose of requesting that he would come and reside at Graham's Town, as we unanimously considered it essential that he should do so, instead of at the village of Uitenhagen, where it was rumoured he intended to remain, in order to arrange matters between the Caffres and ourselves, Graham's Town being nearer them, and more convenient for that purpose; that was the purpose of the address; it is so long ago that I had forgotten it till Captain Stockenstrom mentioned it the other day.

1536. In what year was it?—I cannot recollect.

1537. Was it about the year 1828 or 1829?—I think about 1829.

1538. Is it the wish of yourself and the other settlers in that district, that there should be a commissioner-general who should have the management of colonial matters in that district, rather than that they should be placed under military authority?—We want an authority on the frontier to prevent the necessity of an appeal to the governor on every occasion; we want no more than what the Commissioners of inquiry recommended; the general idea when I left the colony was, that the commissioner-general should be put in possession of the powers granted to him by the Secretary of State, and appointed to reside in Graham's Town, and that this functionary, together with the addition of a council, would suffice for the purpose of directing the arrangements with the Caffres; since that period the appointment of the commissioner-general has been abolished, and we are as bad off as ever.

1539. Do you think it would be more satisfactory to the settlers that the authority should be placed in civil hands than in military?—For my part, as a civilian, I do consider that under the peculiar circumstances of the frontier, where interests are so various, it would not be advisable to centre the military and civil duties in one individual; we have at present a most active military executive in Colonel Somerset, who has been commandant of the frontier for some years; we do not wish any alteration in this appointment; had the office of commissioner-general been allowed to become effective, as it must have been intended by the then Secretary of State who ordered the appointment, we should have been satisfied, as it was generally understood it would have been the province of this officer to watch over the border affairs;

affairs; whatever may be the future arrangements, either military or civil, it would be necessary to guard against any collision, and none would be more effective than a council composed of all the authorities on the frontier, together with a certain number of individuals, agricultural and mercantile, whose local knowledge and information would greatly aid in supporting a better policy; for as I have before observed, it is not only the inclination, but the interest of the colonists to cultivate a good understanding with all the neighbouring tribes, whether Caffres or the numerous others which inhabit Southern Africa.

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31 August 1835.

1540. Is it your opinion that it would conduce to the peace and security of the settlers bordering on the Caffres if the system of commando, as hitherto executed, was suspended?—Yes, it is, most undoubtedly; I know that it is also the opinion of many of the military; the present system of commandoes is one which they themselves are heartily tired of.

1541. Do you think it would tend to give a greater degree of security and peace to the settlers, and consequently promote the extension of commerce and agriculture, if the system of commandoes was done away?—I certainly do, on the present system.

1542. Do you speak not only your own opinion, but the general opinion of the respectable settlers in the colony?—I do most certainly, and of several military likewise, who have been employed on the commandoes.

1543. The Commissioners of Inquiry concluded their report by saying, "It is at once consolatory and satisfactory to recollect that any measures which have a tendency to preserve the tranquility of the frontier on the side of Caffraria, will in the same degree contribute to the prosperity and commercial enterprise of the colony;" and one of the methods which they propose as calculated to promote the tranquility of Caffraria, is the abolition of the system of commandoes: do you concur in that sentiment?—Most decidedly.

1544. You think that the abolition of the present system of commandoes and patrols would promote the tranquility of the border, and would in the same degree promote the prosperity and commercial enterprise of the colony at large?—Most certainly, an alteration is loudly called for.

1545. Have you any documents that you wish to deliver into the Committee?—I have first, copy of a document prepared by Mr. Boyce, the Wesleyan missionary, who has long resided in Caffreland, which he delivered in to our present governor, Sir Benjamin D'Urban, at his Excellency's request, in March 1834; and I have also a list of the subscriptions raised in the district of Albany for the last six years towards the funds of the Wesleyan Society, to aid the cause of their missions in Caffreland; large sums are also raised to aid the London Missionary Society, but these are principally for the Hottentots; and I have likewise copy of a letter addressed to the committee of the Wesleyan Society in London by three missionaries, dated Graham's Town, 31 January 1835. I have thought it incumbent on me to procure and to lay these documents before the Committee, as they must tend to prove that the British colonists in Albany are equally as undeserving of the slanders bestowed on them by a few casual travellers, as they are of the wanton cruelties inflicted on them by the misguided and unreflecting savages.

[*The Witness delivered in the same.*]

COPY of a LETTER to Sir *Benjamin D'Urban*, Governor of the Cape Colony, on the best means of preserving the peace of the Colonial Frontier, written at his Excellency's request, by *Wm. B. Boyce*, Wesleyan Missionary, 31st March 1834.

INTRODUCTORY REMARKS.

IN the month of March 1834, being at Cape Town, in my way to England, I received a note from Sir Benjamin D'Urban, requesting me to call upon him. When I waited upon him, he asked me many questions about Caffreland, &c., and concluded by desiring me to commit the substance of what I had said to writing. This I did, and the following pages are a copy of what I wrote to him, which copy I kept, that the Secretaries and Committee of the Wesleyan Missionary Society might be aware of the extent of my intermeddling in Colonial politics, and the occasion which compelled me to give my opinion.

*W. B. Boyce.*

*T. Philipps*, Esq.

31 August 1835.

REMARKS on the best means of preserving the peace of the Colonial Frontier, bordering on Caffraria; in a Letter addressed to Sir *Benjamin D'Urban*, Governor of the Colony of the Cape of Good Hope, written at his Excellency's request March 31st 1834, by *William B. Boyce*, Wesleyan Missionary.

THE following remarks on the best mode of preserving the peace of the Eastern Frontier of the Colony are respectfully submitted to your Excellency's consideration.

1. *Settlement of the Colonial Boundary.*

Although the boundary line of the colony has been fixed by proclamations of preceding governors, the Caffres are to this day ignorant of the extent of the claims of the colonial government upon their territory. Part of the ceded territory between the Fish and the Kieskamma Rivers is inhabited by several Caffre tribes, who fully expect to hold possession according to promises of former governors, so long as they do not disturb the peace of the colony. The recent expulsion of a portion of Magom's and Tyalie's people from the northern portion of the ceded territory, has created a feeling of jealousy among the Caffres, as to the intentions of the colonial government, which can only be removed by a formal official declaration, pointing out a line beyond which it is not the intention of the colonial government to permit the advance of the colonists. By these means the Caffres would be satisfied, that beyond this line their lands were their own, free from any claims on the part of the colony. It would be extremely unjust and impolitic, to drive the Caffres out of that portion of the ceded territory which they now possess, at the same time it is desirable, as a check upon their future conduct, that they should continue to hold these lands as colonial fiefs (the nature of which they well understand), and be prevented from exceeding the limits at present assigned them. Let the chiefs now residing within the limits claimed by the colony, be informed of the nature of the tenure by which they hold their present possessions, and to prevent further encroachments upon the colonial lands, let them be immediately settled by colonial subjects (I mean the unsettled portion of the ceded territory not inhabited by the Caffres). By thus making the colonists and Caffres near neighbours, theft would be very much checked, as the chance of discovery would be very much increased.

2. *The maintaining the present salutary impression of the superior power of the colonial government, by the prompt and severe punishment of wrongs inflicted on the colony, or on colonists in Caffreland.*

In the discussions which have taken place respecting the policy of the colonial frontier, party-feeling has led on the one hand to an undue estimation of the Caffre character, and on the other hand to an unjust depreciation of it. The Caffres have all the vices and all the virtues incidental to a semi-barbarous state of society. Among the former we may mention a love of predatory warfare, among the latter hospitality, kindness to strangers, fidelity to their employers, but certainly not with a scrupulous regard to the rights of property possessed by their neighbours. No Caffre deems it wrong to steal from another tribe or from the colony, and the chiefs are only restrained from plundering each other and the colony by a fear of consequences. This salutary fear it is necessary to maintain, and it can only be obtained by the prompt and severe, yet just punishment of wrongs committed upon the colony or the colonists of Caffreland. I am aware that many humane individuals, averse to the use of coercive measures, think that trifling acts of theft or oppression to individuals should be overlooked. On the contrary, it is my decided impression that the prompt and severe, yet just infliction of punishment is productive of a moral influence, extremely beneficial to the continuance of our friendly relationship with the Caffres, the extent and value of which can only be estimated by persons residing in Caffreland. It will be found that mistaken lenity or remissness on the part of the colonial authorities in the prompt punishment of thefts, &c. is the greatest cruelty, as such conduct being by the Caffres attributed to a want of power, will encourage them in their thefts and aggressions, and these in the end will provoke severe and exemplary punishment, and bring upon the Caffre tribes the usual fate of all semi-barbarous nations bordering on European settlements. Whatever treaties the colonial government may enter into with the Caffre chiefs, the necessity of a military force on the frontier will remain for the present, until some decided change takes place in the habits and feelings of the frontier tribes. If from any reliance upon the schemes of benevolent speculative men, some of whom never saw a Caffre, or from any hope of economizing the expenditure, the colonial government makes any reductions seriously affecting the efficiency of the present military force on the eastern frontier, it will soon be found that neither the views of the philanthropist nor of the economist have been served by such an apparently feasible yet absurd policy.

3. *Treaties may be entered into with the Caffre chiefs—*

1st. As to thefts from the colony.

It would be desirable for the commandant of the frontier to enter into agreements with the chiefs separately, not collectively, as to the punishment of thieves, and the best mode of detecting them. If the chiefs were informed that in accordance with their own customs, the colonial government would hold them responsible for cattle stolen from the colony, the spur of which was traced to their country, they would soon find out the thieves. Not a single head of cattle can be stolen out of the colony without the knowledge of all who reside near the thief, and the fact is soon brought to the chief's ear; but unless compelled by a sense of his own responsibility to punish the thief, he will not do it, as such a voluntary

tary strictness in the administration of justice would deprive him of his popularity, but if made responsible by the colonial government, then his people would not blame him for detecting and punishing theft, and every man would feel that his own interest and the interest of his tribe were concerned in the furtherance of this object. The chief should be allowed the assistance of a patrol if he require it, as the thieves may perhaps be supported by influential men, with whom the chief would be too weak to contend without a formal gathering of the military force of his tribe, which would occasion a delay favourable to the escape of the thief, and the loss of the property stolen. In such cases a patrol would prevent bloodshed. If the person of the thief were claimed, and the claim insisted upon, or in the event of his having made his escape, the person of the master of his kraal (without whose knowledge he could not have committed the theft), very few thefts would be committed. In all cases the legal fine, varying from four to ten head for one, should be levied upon the kraal where the thief resided, and this fine should be divided among the chief and those who assisted in tracing the spur of the lost cattle. It would not be politic to allow any part of this fine to go to the colonist whose cattle have been stolen, as it might encourage unprincipled men to be careless of their property, if assured of its restoration and a recompense besides. I am aware that to many persons unacquainted with the laws of Caffreland, and the state of society there, which fully justifies the strictness of the law respecting thefts, the above measures may appear harsh and unjust. There can however be no harshness in dealing with Caffres according to their own laws, founded on their own views of international justice; and if it be considered that at present the Caffres owe their very existence to the generous interference of the colonial government in 1828, by which they were saved from extermination by the Fitcani; that every thief assists in destroying the good feeling which subsists between the Caffres and the colonists, their natural protectors against the powerful and more barbarous tribes beyond them, and that all the authority of Britain and of the colonial government cannot save them eventually from the common fate, which has hitherto been the lot of all savage tribes bordering on European settlements, if they provoke the enmity of the colonists; then it will appear evident to the most humane, that no regulations can be too harsh and severe, which have for their objects the prevention of those continued thefts from the colony, which would ultimately lead to the loss of the independence and property of the Caffre tribes, and to their final extinction.

2d. As to protection to traders residing in Caffreland.

Many Europeans with their Hottentot servants are occupying temporary residences in Caffreland near the kraals, or in populous neighbourhoods for the convenience of trade. Most of them, so far as I have observed, conduct themselves with great propriety and moderation, but yet some of them, either from ignorance of native customs, or from natural ill-temper, behave in a very overbearing manner. The ill-will which the conduct of a few produces, extends to others who have not merited it, and recently many of the traders here suffered many personal insults and much loss of property taken from their trading places, and from their waggons while travelling on the road. As the colonial government has not as yet taken any notice of the complaints of the traders, the Caffre chiefs imagine them to be beyond all colonial protection, and therefore feel no anxiety to redress their injuries. The importance of the Caffre trade to the colony in a pecuniary point of view, and its utility as the means of promoting a good feeling between the colonists and Caffres by convincing both parties of a community of interests, render it highly desirable that the Caffre chiefs should be made clearly to understand that British subjects are under British protection, and that complaints from the chiefs respecting the conduct of British subjects would be attended to by the colonial authorities. The appointment of consular agents to the native chiefs has been recommended to the colonial government, and if the services of suitable persons could be commanded, the scheme would perhaps succeed, but even then the probability is, that collision of sentiment between the civil agents, and the military commandant of the frontier upon whose ability after all the main dependence is to be placed, would more than counterbalance the good which might result from such appointments. However, as the colonial government cannot command the services of suitable persons, the scheme is not likely to be tried. None but missionaries who have resided some time in Caffreland would be qualified for such purposes, and no missionary ought to be so employed, as the duties of this office would completely secularize his character, and deprive him of the influence which, as a teacher of religion and as a peace maker, he already possesses. However defective the present system of governing the colonial frontier through the medium of a military commandant may be, it is the best of which circumstances will admit. The abuse of power on the part of the commandant is almost impossible, checked as he is by the presence of so many missionaries interested in the welfare of the Caffre tribes, and of many other Europeans employed in trade. The fact of the responsibility of the peace of the whole of the colonial frontier resting with the commandant is one of the strongest securities for the right discharge of the duties of his important office, whereas a divided responsibility would give rise to endless disputes, the possible sacrifice of the peace of the frontier.

4. *The maintaining a regular communication with the principal chiefs of Caffreland, on this side the Umzimvubu.*

Besides the chiefs of the frontier with whom the commandant is in constant contact, there are several other powerful chiefs who are not merely chiefs of distinct clans, but a sort of feudal sovereign over a collection of clans: Hintza, the supreme chief of the Amaxosa or Kafus, Vadanna of the Amatambu or Tambookies, and Faku of the Amaponda

*T. Philipps*, Esq.

31 August 1835

ponda or Mambookies; with these it is desirable that the commandant of the frontier should preserve a regular communication. If an officer were sent once or twice a year with an escort of a dozen soldiers (for the sake of form) to visit these chiefs with a message and a few presents, not only would a kindly feeling be kept up, but the officer would have an opportunity of observing the conduct of Europeans in Caffreland, and of checking any oppression on the part of the natives: he might receive complaints, and demand redress, and in no just cause of complaint would he receive a refusal. He would also have the opportunity of recommending the chiefs to remain at peace with each other, and in this respect his influence would be very great. A periodical visit of this kind would act as a salutary check both upon Europeans and natives, and the chiefs of the frontier clans would be intimidated when they observed a regular communication kept up between the distant chiefs and the commandant of the frontier.

5. *The prevention of improper and dangerous persons from settling in Caffreland.*

The frontier tribes are inundated by troops of idle Hottentots from Albany and the Kat River settlement, whose presence in Caffreland is most injurious to the good understanding which at present subsists between the Caffres and the colonists. Many of them possess guns, which they sell to the Caffres, and some of them are discharged soldiers, who are induced by the petty chiefs to settle with them, and act as interpreters; these men are without exception the greatest rascals in the whole country. They are considered by the chiefs as possessing a thorough knowledge of the plans and designs of the colonial government. They impose upon the credulity of the chiefs, by misrepresenting every act of the colonial government, and thus raising unfounded jealousies. It is highly desirable that all these should be sent out of Caffreland, and that in future, no man, European or coloured, should be allowed to enter Caffreland without a pass. This regulation would be no inconvenience to the respectable European or coloured person, while it would materially check the idle migratory habits of a very considerable portion of the inhabitants of the Kat River settlement.

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CONTRIBUTIONS of the British Colonists of the *Albany* district, *South Africa*, to the Funds of the Wesleyan Missionary Society, more especially for the extension of Christianity among the Caffre Tribes, at the Annual Auxiliary Mission Meetings, held in Graham's Town.

| | £. | s. | d. |
|---|---|---|---|
| 1829, Subscriptions from 1st January to December 31st - | 297 | 9 | 7 |
| 1830, - ditto - - - ditto - - - | 322 | 13 | 7 |
| 1831, - ditto - - - ditto - - - | 362 | 16 | 3 |
| 1832, - ditto - - - ditto - - - | 365 | – | 3 |
| 1833, - ditto - - - ditto - - - | 308 | – | – |
| 1834, - ditto - - - ditto - - - | 279 | – | – |
| | 1,934 | 19 | 8 |

In addition to these sums, many valuable presents of clothing, &c. for the use of the Caffre children in the mission schools, have been made by the colonists during the same period.

(signed) *John Beecham*,
Secretary to the Society.

London,
30th August 1835.

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Honoured Fathers and Brethren, Graham's Town, 31 January 1835.

You will doubtless be greatly surprised to hear of the difficulties and dangers in which we are placed by a sudden invasion of the Caffres upon the colony, throughout the entire line of our frontier. A more wanton aggression upon a peaceable people, who were desirous of promoting their best interests, has never been committed; and the effects resulting from it are so disastrous, that the colony must be brought to the verge of ruin. The hordes of Caffres are murdering, robbing them of all their property, and taking their flocks and herds of cattle without any resistance, the inhabitants counting themselves happy if they can only escape with their lives to Graham's Town. Village after village is forsaken, our military posts are most of them evacuated, and all are concentrating in Graham's Town, awaiting with considerable anxiety the termination of this critical posture of our affairs. Our chief hope lies in the righteousness of our cause; for, although not a few have accused the colonists of cruelty towards the Caffres, from a thorough knowledge of most transactions connected with Albany, we are bold to maintain that such accusations are unjust. To a great extent true philanthropy prevails amongst the people here, without that ostentatious boast thereof which is found in some who excel therein more in word than in deed. It is a mysterious Providence that within one short month after our celebrating the abolition of slavery in so devout and appropriate a manner, these things have been permitted to befal us; and we must calmly await the end, trusting in God that this systematic, extensive and most perfidious war upon the colony will be overruled by the Almighty Governor of the world for the general welfare of all parties concerned.

Bathurst

Bathurst is forsaken, and many of the places round about are desolated. The greater part of the inhabitants of Salem have likewise escaped to Graham's Town, and the two brethren who resided at those places are now here, and affix their signatures to this hasty letter.

Brother Shipstone is yet safe, though in much danger, at Wesleyville; and Brother Dugmore is as yet uninjured, at Mount Coke; but of the distant stations we can hear no tidings.

Commending ourselves to the care of God, and begging an interest in your fervent prayers, we are, honoured fathers and brethren, your obedient servants,

(signed) *W. J. Shrewsbury.*
*S. Young,*
*R. Haddy.*

To the Secretaries of the
London Wesleyan Missionary Society.

*T. Philipps*, Esq.

31 August 1835.

1546. Do you entirely approve of the plan recommended by Mr. Boyce?—I do entirely, as far as regards our position with the Caffres previous to the late invasion of the colony; that circumstance must naturally occasion some alteration.

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*Veneris*, 12° *die Februarii*, 1836.

MEMBERS PRESENT.

| | |
|---|---|
| Mr. Fowell Buxton. | Mr. Plumptre. |
| Sir George Grey. | Sir Rufane Donkin. |
| Mr. Hindley. | Mr. Charles Lushington. |
| Mr. Andrew Johnstone. | Mr. Bagshaw. |
| Mr. Hawes. | Mr. Wilson. |

MR. FOWELL BUXTON CALLED TO THE CHAIR.

Captain *Andrew Stockenstrom*, called in; and further Examined.

Captain *A. Stockenstrom.*

12 February 1836.

1547. HAVE you since your last examination received any appointment in any of the colonies?—Yes.

1548. What is that appointment?—I have been appointed lieutenant-governor of the eastern division of the colony of the Cape of Good Hope.

1549. What does that eastern division comprise?—The districts of Graaff Reinet, Albany, Somerset, Uitenhagen.

1550. What are the powers which you will possess in that capacity?—I have not received any detailed instructions from the Colonial Department.

1551. Have you received an intimation that those instructions will be delivered to you before you leave this country?—Yes.

1552. Have you turned your attention at all to the subject of the best mode of protecting aborigines, in countries where we make settlements, from receiving any injury or sustaining any oppression from intercourse with Europeans?—Yes; it strikes me that we have only to go back to the causes of the present disputes with the natives. I have been very full in my evidence as to my opinion what those causes were; and I should think that the plan would be to adopt measures which would serve to prevent these very same results. It strikes me that the great error which has been committed, upon the first establishment of the colony of the Cape of Good Hope, was, seizing upon the territory of the aborigines, and allowing our people to migrate and scatter over extensive tracts without any sufficient superintending control on the part of any government whatever. It soon happened that those people were extended over such an immense tract that the government could not have any check upon the enormities which, upon the frontier at least, would be committed, not only by our own subjects against the aborigines, but by the aborigines, by way of retaliation, against our people; and thus at last the government became as impotent in controlling our own excesses as in protecting us; the natural consequence of which was, that greater latitude was given to our own subjects to protect themselves occasionally: and then, any man that consults human nature will soon see that the strongest party will master and oppress the other, and as invariably the most civilized party will, at least till it comes to a great length, be the strongest. It has always turned out that our people had the power of the greatest oppression, and did oppress till the opposite party, being driven to desperation, retaliated. Those seem to me the original causes by which gradually we have been brought to the present state of things.

1553. What regulations or restrictions would you propose, in order that the

Captain *A. Stockenstrom.*

12 February 1836.

superintendence and protection of the British Government might be effectually afforded both to the settlers and to the natives?—In one of my letters to Mr. Spring Rice, I entered rather fully into that subject, and I think that the plan would be, in new colonies, never to take any land but what was got by treaty, by bargaining with the people. Now it depends in a good measure upon what description of natives you come into contact with. For instance, with respect to the Cape of Good Hope, I would wish the Committee to observe, that there is a wide difference between our connexions with the Caffres and with the Bushmen; the Caffre tribes can protect themselves in a great measure against all surrounding people except ourselves, and with them certainly treaties ought to be made. If that had been adopted from the very first, and both parties had kept within bounds, and the government had not been in that state of impotence that they could not prevent emigration eastward on the part of the colonists, this evil would not have arisen. But the mischief had come to a great length before the government had the power to interfere, for the history of the colony will show that for a considerable time the colonists were in open arms against the government, and the government had no power over the frontier. But with reference to the Bushmen, it is a different question; those people are scattered over an immense tract, without any system of order or government; to bargain with them for land will be a very difficult matter; and there I should say, that the thing that the government ought to take care of is, that extensive tracts should be reserved for those people, in which some plan might be adopted for their protection. They principally live upon game and wild herbs, and when these fail they are in a melancholy predicament. With those people I should not object to an amalgamation, for they must gradually disappear, and must die out, as it were; in their present state they cannot remain. We must try and improve them as well as we can, and try to concentrate them in particular spots; give them instruction, and protect those tracts in which they hunt. I do not see any other mode to be adopted.

1554. Do you contemplate the tracts in which they hunt as being within the limits of the British territory?—No, that cannot possibly be; the population of the northern half of the territory must always be a nomade population. They go about with their flocks and take possession of the springs; the springs are few, and when they are occupied, the game must disappear, and consequently you cannot preserve tracts for game in the British territory at the Cape.

1555. When you speak of protecting those tracts in which they hunt, do you mean protecting them from other native tribes, or from the incursions of British settlers?—From both parties to a certain extent. You would take those people under your protection; you would try and gain an influence over the tribes beyond and prevent their aggressions against the Bushmen. I understand that the governor has entered into a treaty with the Griquas. Those Griquas have committed as great enormities upon the Bushmen as ever the colonists did; but since this treaty was made, the government must have a considerable influence upon those Griquas, and must be able to obtain their co-operation in the protection of the Bushmen.

1556. The lands occupied by the Bushmen are very extensive?—They are.

1557. Will you state what kind of line you would lay down there?—I think a good deal may be done by means of the missionaries. I dare say I shall give offence to some of the missionaries by saying that I do not think they have done so much in the way of Christianizing as I think they have been useful in a political point of view. They may be of great service in co-operating with the government. I have already shown, in speaking of Mr. Shaw and Mr. Wright, what these people have done. Their influence is really wonderful, but it is more of a political than a religious nature; I differ from those who think that the principal object is to start with religion; I think that the benefit which these men have hitherto effected has been more of a political than of a religious nature. Look what Mr. Shaw's influence has done with one set of Caffres in the midst of all this last war; that decidedly is political; and if we look at the number of real converts which they have made in a religious point of view, I should think they would be found few in proportion to those who have been kept out of harm's way in other respects.

1558. The effect is political, but may not the cause of that effect be that they have obtained such an influence over the minds of those savages, that they were able to control them in any mischievous attempts which they might be inclined otherwise to enter into?—I think the influence which they obtained was more of a political nature, because these natives looked upon them as a sort of medium of communication between them and the government. I know that there is a different

view

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view on this subject; in some quarters of great respectability it has been said that the missionaries have no business with politics, but for myself I think they can be principally beneficial, at least those beyond the frontier, in making representations on behalf of those natives and warning the government of the state of things, as also by their advice restraining the depredations of the natives.

1559. Do you think that the missionaries have addressed themselves to the people in the first instance upon political grounds?—The first instance decidedly not, but all their correspondence with government must be of a political nature.

1560. Do you think they could have acquired the influence which they acquired with those aborigines without having inculcated upon them the religious principles which they taught them?—The two ought to go hand in hand, and I should hope that one of the principal benefits will be ultimately their conversion to the Christian religion; but I think their being brought together and led to adopt peaceable habits, results principally from the natives looking upon them as a sort of protectors. The missionaries have generally adopted the plan of espousing the cause of the natives, and those people have looked more to them as a medium of communication with government and to their becoming a sort of protection to them, than to their preaching. There are a number of Bushmen and Caffres who look up to the missionaries as a sort of protection in case of grievances, that have never heard a single word of their doctrine preached.

1561. Does not this appear to be the cause of the influence which the missionaries possess, that whereas the natives have been exposed in many instances to great oppression on the part of our people, they have found the missionaries almost invariably acting a friendly and an honest part towards them; and they have been their benefactors upon the spot and their protectors with the government?—I think so; that is just what I have attempted to convey. Any man just going through the colony must know that every inch of ground we tread upon we have removed those people from, and the first missionaries that went there, the Moravians, at once set up as advocates for the aborigines, and by this means they have gained and kept their influence.

1562. Do not you conceive that at least it has paved the way for the reception of Christianity amongst them, that they have found the persons who are the professors of that religion invariably amongst their best friends?—Decidedly, there can be no doubt of it. Their security paves the way to religious conversion, and the missionaries can be thus politically beneficial by gaining an influence over the natives and convincing them that peace with us is their best policy; but then the missionaries must go hand in hand with the government.

1563. You spoke of new lands being given to the settlers by treaty; how far do you consider the lands belonging to the colony extend?—I was speaking of a new colony. I meant to say, that in a new colony I would try to buy certain tracts, and reserve certain tracts, and all the money which I received from the settlers for the tracts that I bought, I would appropriate to the improvement and the protection of the natives on the other lands; those I would appropriate to themselves.

1564. What specific regulations would you think it desirable to adopt with reference to the lands of the natives?—Take, for instance, a nation like the Caffres, if they were not disposed to part with any of their land, I would leave them entirely to themselves, and would not establish a colony in such a country at all; I would only trade with them. It is possible that a country may be so thinly inhabited, that certain tracts may be taken, without the slightest injury to the natives. I would then try to bring them to some sort of understanding, and enter into a treaty with them, and get certain tracts, such as I would gradually be able to people, upon certain principles which I would lay down, to prevent the mischief of their scattering into the interior without control; and whatever should be paid for such land, I would make in payments of such a nature that it could be appropriated to the benefit of the natives, always reserving certain tracts, which ought to be kept invariably in such positions, that as I extended my colony I would be able to extend my protection over them also; but the principal point to be guarded against is possessing yourself of particular spots to which these people are attached, as hunting grounds, &c., and taking from one tribe what perhaps belongs to another, and what that tribe have no right to dispose of.

1565. Are the Committee to understand that you think that the land of the natives ought in no case to be taken possession of, except by bargain, and their receiving some recompense in return?—Certainly.

1566. Are the Committee to understand that all such bargains ought to be made by the government, and not left to individuals?—I would not trust individuals.

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1567. Would you leave it to the government to fix the value of the land they acquired in each case?—When I say that I would not trust individuals, it is because I would have the government stand between the colonists and the natives, and therefore I would not trust any private interested individual; because I think the government could act fairly between both parties at the outset, and prevent mischiefs that would bring the colony into expense and trouble.

1568. Do you think that the appointment of an officer as a protecter of the natives would be beneficial, in so far as a person conversant with the real situation of that district would be upon the spot, to act as an umpire between the Europeans and the natives?—Decidedly; but I do not attach so much value to that as to having men resident amongst the natives themselves. I cannot illustrate that better than by referring to the London missionary, Mr. Wright, and Mr. Shaw, the Wesleyan missionary. Upon that principle, I think they could be more beneficial; but I have no objection to the other. Such a man could be very useful, especially if he be a man of zeal, that will at once apply himself to learn the language of the natives, to instruct himself as to their feelings and prejudices, and to make himself the friend of the natives. For instance, I would have such a man residing near the frontier, and have some chief residing with him. I think that would be a great benefit, this chief being a sort of ambassador. I am now speaking with reference to the Caffres, for instance; but I attach more weight to having our own people residing among the natives upon the spot; they could also act in cases of disputes.

1569. In what character would they reside among the natives?—It would be something resembling our consuls or our ministers, provided you can get proper persons, that will insinuate themselves into the good graces of the natives, and learn to understand their language, and make it a point to gain their friendship.

1570. Then they would reside among them rather as political characters, with a view to protect and promote trade, than for religious purposes?—Yes. There seems to be an objection to blending the political and religious character of those men; but I have never been convinced that there is any harm in it; I find that those men can do a great deal of good. I never objected to the missionaries having a right to correspond with the authorities on political matters.

1571. You mean when beyond the colony?—Yes; I have already said beyond the colony.

1572. When you speak of obtaining land by treaty, and giving compensation for it, what would be the nature of the compensation?—For instance; with the Bushmen, if I were to ask them for a certain tract of land in a particular district, which I would wish to people, so as to be able to protect them, I would give them sheep in return, and I would try and bring them under certain restrictions, so that instead of devouring those sheep, they should breed them. Make them possess and respect property; but this must be done with caution. At a particular time I made an attempt to raise a subscription in the district of Graaff Reinet, where I was magistrate, and then to bring those Bushmen to settle together in particular places, and by giving them cattle and sheep, to induce them to breed, instead of leading a wandering life and plundering. The farmers came forward very liberally; I collected a considerable flock, and I did what I have now mentioned; but I found that it did a great deal of mischief, because, without being able to protect those people, I only injured them, in so far that other tribes who did not possess property made an attack upon them, and deprived them of what we had given them: those who foresaw this, ate the sheep or cattle, and again resumed their wandering life; consequently, unless we can protect them, this is a very injurious plan.

1573. When you said that you would employ the missionaries for this purpose beyond the colony, are the Committee to understand that you think it improper to employ missionaries within the colony in any political character?—It does not appear to me to be necessary, and I think it would rather be undignified; there are other officers and other means of getting the same thing done within the colony, which I would have done by missionaries or consuls beyond the frontier; for the object I have in view is more of a diplomatic nature, merely to have a person there upon the spot; and I think it would be the cheapest way. Those missionaries have the greatest influence upon the natives, and they would gain the goodwill of those people, and by their influence be very useful indeed.

1574. But you would not invest the missionaries with anything like a diplomatic character within the colony in any case?—No, decidedly not; I do not see the necessity of it, or how they could act.

1575. As missionaries, either within or without the colony, you would not invest them with a diplomatic character?—No; I only say that I think, as missionaries, they

they gain the goodwill of the natives, and as missionaries they ought to be upon good terms with the government, and the government ought to let them see that its object is to benefit the natives; and they would go hand in hand with the government, and be best able to convince the natives of the good intentions of government, and to explain to the chiefs what you want of them. Suppose a farmer is plundered, then, if the government has an agent of that kind, who has gained the goodwill of the chief, instead of sending a detachment to carry war into the country, let that man go with a letter to such diplomatic agent, to explain and settle matters between the parties.

1576. Are not the missionaries themselves unwilling to assume political functions, as injurious to their spiritual character?—I have heard it said by the missionaries that they would rather not have anything to do with it. Mr. Thompson told me that it interfered very much with his religious duties.

1577. You think it is indispensable, either within or without the colony, that we should have some person holding some political character, for the purpose of protecting the natives; and out of the colony, you consider the most eligible persons to be the missionaries; but that within the colony you might get either missionaries or other people?—In the colony I said that the situation of protector would be useful, but I do not find it indispensable, because my view is, that it is the duty of every person employed by the government to protect the natives, and to prevent the mischiefs resulting from wars.

1578. Looking at the situation in which you stand as lieutenant-governor of the eastern division at the Cape, do you think it will require a protector of those natives within the colony under your jurisdiction?—It does not strike me so; such a man might be of great use, to be sure, but I would not think it indispensable; because I think it my duty, and I think it the duty of every officer under me to to support me in doing that which the government would demand of such an officer.

1579. Have not instances occurred within your knowledge in which the officers of government have not borne the character of protectors of natives, but have been rather inclined to exercise their influence in a different direction?—I think that in much of the evidence it has been clearly proved, that there has been too strong a disposition to resort to coercive measures on the part of some functionaries within the colony against the natives. There were a number of men that conscientiously believed that coercive measures were indispensable.

1580. Do you consider that it would be beneficial to the country that missionaries within the colony should have the power that has been described as belonging to a protector of the natives?—No, I do not see that the missionaries have anything to do with that, and I do not want missionaries to interfere in any way, but just to assist the government by keeping peace between both parties. I wish the government and the missionaries to be upon such terms that both will have one object in view, which is to keep the natives in peace, and that those men should use their influence over the natives in co-operating with the government to maintain peace, and to explain all misunderstandings that may arise between them.

1581. You approve of treaties with the Caffres as a general principle?—Decidedly.

1582. Do you recollect being present at a treaty made by Sir Rufane Donkin with the Chief Gaika, in 1820?—Yes; in my former evidence it was stated.

1583. Was not that a treaty based upon a mutual arrangement for the occupation by us of a portion of land which the Caffres supposed they had some claim to?—Yes, that is fully explained in my former evidence.

1584. Was that treaty faithfully observed by the Caffres?—The Caffres were allowed by the government to take possession of part of that land again conditionally.

1585. Are you aware of any wilful infraction of that treaty on the part of the Caffres?—The depredations continued on the part of the Caffres, but the understanding between Sir Rufane Donkin and the Caffres did not refer to them; it was merely agreed that he should have a right to occupy the territory, which, according to the understanding with Lord Charles Somerset, the government had no right to do.

The Rev *W. Yate.*

12 February 1836.

The Rev. *William Yate,* called in; and Examined.

1586. IN what situation have you been in the South Sea Islands?—As an ordained missionary of the Church Missionary Society.

1587. In what year did you go out?—In 1827.

1588. Have you been resident there from that time to this?—Yes, till within about a year and a half.

1589. Are you speedily going out again in the same situation?—Yes; I am to embark again on Monday morning.

1590. In what island did you principally reside?—The Northern Island of New Zealand.

1591. Your duty there was to act as a missionary of the Church Missionary Society?—Yes, to establish schools, and to get the natives to attend them, and to preach to the people.

1592. Did you reside in a town?—In a small station of our own, a little distance from a fortification.

1593. What was the population in the neighbourhood?—About 3,000 within two miles of the settlement.

1594. Have you written a book in reference to missionary exertions in New Zealand?—Yes.

1595. That book was published in the last year?—Yes.

1596. What is the character of the New Zealand inhabitants, so far as you have come into contact with them?—We found them decidedly a savage people, addicted to cannibalism, to murder, and to every thing which was evil.

1597. What has been the system of conduct observed towards them by the English who have come in contact with them; the traders and others?—In some instances they have kept faith with them, and in others they have treated them in the most barbarous manner possible.

1598. Do you know any instances in which they have been overreached or cheated by those traders?—Yes, I know of a great number of instances in which they have been overreached and cheated by them.

1599. What was the consequence of this conduct?—The natives have made their complaints to us, and have asked us how they ought to proceed, and in what way they should act with the Europeans, and would it not be fair for them to make reprisals upon persons that had not injured them, in order that they might obtain satisfaction for the loss they had sustained from others.

1600. Were they mutually inclined to cheat in return?—Yes, they were at times; I have known instances of it, but not frequently.

1601. You stated that you found them of very savage dispositions: were any of them of industrious habits?—They were decidedly industrious for savages, but it would scarcely be called industry in England. They were much more industrious than any of the inhabitants of the South Sea Islands.

1602. Were the missionaries ever employed in making peace between them and those who had injured them?—Many times they have been called in for that purpose by both parties.

1603. With what success?—Invariably bringing them to terms, and making peace between them; there was one particular instance in which we were called in by the captain of H. M. S. Alligator and the British resident in New Zealand.

1604. Can you state any particulars to the Committee in reference to that case?—A man of the name of King, a person who had escaped from New South Wales, had entered into an engagement with Pomare, a chief of one of the tribes in the Bay of Islands, to give him a certain number of muskets and a quantity of powder for a certain quantity of the produce of the country. He gave him several loads of flax, and a quantity of timber and potatoes. King sold those things to the masters of other vessels that came into the harbour, and then left the country without making any payment to Pomare. King possessed a small schooner, about a 15 ton vessel; he sold the schooner to some merchants there; and when Pomare found that the vessel which belonged to King was still in the island, he took possession of it, and would not give it up to the persons to whom it had been sold. They represented this to the British Government at New South Wales, and the captain of the Alligator received instructions to obtain this vessel from Pomare, and to see that right was done. Pomare still refused to give up the vessel, and then the captain wrote to us to interfere to get Pomare on board. Mr. William Williams

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Williams and myself went and succeeded in getting him on board*, and when the matter came to be sifted, we found that Pomare was perfectly right, and that the Englishmen had been altogether wrong. Pomare had been cheated out of the whole of his property; and so convinced was the captain of the Alligator that the New Zealander was right, that he gave him the full payment for the property which he had been cheated out of, and Pomare then restored the vessel which he had taken possession of as payment for it.

1605. The Alligator was a King's ship, Captain Lambert?—Yes.

1606. You state that he was sent to recover possession of the schooner; was he also authorized to inquire into the facts of the case, and to do justice between the parties?—I believe he was.

1607. And that was the result of the transaction?—It was.

1608. Do the missionaries possess any lands in New Zealand?—The Church Missionary Society does. As individuals we are not allowed by the Society to possess any land.

1609. In what way has the Society come to possess those lands?—Every inch of ground has been purchased, and the boundaries of every piece of land have been distinctly marked by the natives themselves. In most instances the land has been purchased at the request of the natives.

1610. Then no missionaries hold land in New Zealand, except what has been purchased from the natives?—Not an inch. And when any tract of land has belonged to different tribes, the different tribes have been called together to give their consent and receive their payment in public.

1611. What sort of payment?—Things that would be likely to be useful to them, blankets, clothing and axes, and so on.

1612. How is the bargain conducted?—By their giving their consent, and approving of the payment, which is laid upon the ground. Sometimes they hold out a long time, for the purpose of getting more; but when we think it enough, we refuse to give more, and then we take back our goods.

1613. Are the missionaries generally acquainted with the language of the natives?—The greater portion of them understand it, but not all; there are some who have but lately gone there; but all who have been there above three or four years understand the language.

1614. What sort of reception have the missionaries met with in general from the inhabitants?—The last seven years the kindest possible reception; received with open arms by every one; and those distant tribes with whom we were totally unacquainted, having heard from the Bay of Islands that peace had been established by us between hostile tribes in that district, very frequently sent messengers, 20 or 30 of their sons, to request us to form stations in the midst of them, primarily with the desire of our making peace between hostile tribes in their neighbourhood.

1615. In what instances have the missionaries exercised their influence in making peace between contending tribes?—The first instance was the battle of Hokianga. A young man, the son of a chief, came over to the Bay of Islands, and when he arrived there, he took up a stone, and dashing it upon the ground, said, "This stone is Warrehumu." That is one of the greatest curses that he could utter; and the custom of the country is always to punish the tribe to which the party belongs that has uttered the curse, and not the party himself. Immediately that Warrehumu heard that he had been cursed by this man, he went and began to punish the tribe, which punishment they resisted. One man loaded his musket with ball cartridge, and fired it into the midst of the party; a skirmish ensued; Warrehumu was shot dead, his wife and children and 20 of his men. The rest escaped, and told their tale in the Bay; and the chiefs assembled to consult together what they ought to do, and they were unanimously of opinion that it was impossible to make peace till they had had satisfaction in blood to double the amount shed on their side. There were two or three of them that were very desirous of making peace, on account of the great slaughter that must take place if they fought, for they were equally well armed, and about 2,000 on each side; and one of the principal men jumped up in the midst of the consultation, and said "There are these missionaries that

* So frequently had this man been deceived by the masters and crews of vessels, that he would not trust himself on board till we told him that the wives and children of the missionaries at Paihia were in his power, and would be hostages for his personal safety.

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that have been talking to us for 15 years about peace, let us see what they can do." They came, and requested us to go. We went, five of us, in a body. We found 2,000 people on one side of a little eminence, and 2,000 on another side, within musket shot, waiting the arrival of the chiefs to commence the attack. We pitched our tent between them for three successive days; we went from tribe to tribe and from hut to hut to endeavour to make it up between them. At the end of that time there was great division in their councils, and we seemed to be as far from effecting our purpose as at the first moment; and then we requested them to leave the decision of it to one individual, which they resolved to do, and left it to Tareha, a chief of great importance in the Bay, but a very dreadful savage. We succeeded in getting him to our tent, and he resolved in his own mind to decide for peace; we tried to work upon his mind in the best manner we could.

1616. Is he connected with either of those parties?—Yes.

1617. Both parties placed it in his hands?—Yes, it was left to the Bay of Islanders to decide; the other people could not say a word.

1618. Was it in consequence of your communications with Tareha that he was induced to take the resolution in favour of peace?—Himself and the whole of the 4,000 people attributed it entirely to that, and from that moment we date our present influence in the country.

1619. Did you then secure peace between the contending tribes?—Yes; and they have been the firmest friends and allies of any distinct tribes we are acquainted with in the country ever since that time.

1620. What sort of arguments did you use with that person?—We first began to tell him of what would be the effect of it in lessening their own numbers, even if they gained the victory, and that the people from the south would then come down upon them; knowing that Hongi was dead, they would come in a body upon them and destroy them: and then we endeavoured to point out to him the evil of it in the sight of that God whom we came to make known. After our consultation he got up, and as he was passing out of the tent, he said, "Perhaps I shall be for war, perhaps I shall be for peace, but I think I shall be for war; perhaps we shall fight, perhaps we shall not fight, but I think we shall fight." We then tried to work upon his fears; he was an enormously large man, and Mr. Williams called out to him, "Take care Tareha, you are a very big man, and no musket-ball can pass by you."

1621. Have they generally fire-arms?—They are all armed.

1622. Where do they get those arms?—From the whale vessels and the vessels that come for flax and timber; I have seen the Bay of Islanders make a present of a thousand stand of arms to their enemies, the people at the south.

1623. When was that; during a war?—Just after a war. After a war the enemy visits them and dwells for some time in their residences, and it is the custom of the country to make them presents, and that particular present was to show that they were not afraid of them.

1624. Was the result of your interference, that what would have probably been a bloody battle was prevented, and that peace was made between the contending tribes?—Yes; and they have remained upon the most friendly terms ever since.

1625. Do you believe that if it had not been for the interference of the missionaries, this conflict would have taken place?—There is no question in my own mind, nor in the mind of any New Zealander I have ever met with.

1626. Did the measures which the missionaries took upon that occasion tend to extend and enlarge their influence afterwards?—Yes, throughout the whole country. It was made known in the southern parts of the island, and brought great numbers to request our interference in their quarrels also.

1627. Do you recollect any other instances in which the missionaries have been engaged in promoting peace?—Not in which I myself have been engaged; but many in which my brethren have, at the different stations.

1628. Can you speak of those from that kind of information that you can confidently state that you know the facts?—Yes.

1629. Will you state any that have come to your knowledge in that way?—There was the battle of Taurunga; the first rise of that was the captain of an English vessel, a whaling ship, had a quarrel with some women on board his vessel; he was very angry about it, and determined to get the natives of the interior to punish those on the coast for the insult which those two women had offered to him in that quarrel. He sent into the interior to fetch the chiefs, telling them they

must

must come to fight a battle for the insult of those two women. They refused to do so, saying, that it was not according to New Zealand custom; that they only fought when people had done some real injury, but that they never fought when it was all mouth, and that this had been nothing but mouth, and consequently they refused to fight. He told them that he would make it known in England; that every one in England thought the New Zealanders were a brave people; but he would let the English people know, and let the King know that they were cowards; but that if they would fight he would supply them with arms and ammunition. They could not bear this, and therefore they resolved to fight. They brought down a great number of people. We were rather too late in going over; we did not know so much of it as we do sometimes; and about a quarter of an hour after the battle we saw a hundred of the people dead and wounded upon the beach. Then according to the custom of the country, a number of the New Zealanders went to the south to seek satisfaction for the death of their friends. Those persons who went down intending to cut off some of the tribes of the south as a payment for the death of their friends, were fallen in with by a large armed party of the natives and were all cut off themselves; 41 went and only one returned. This caused the whole of the Bay of Islanders to arm themselves and to go and fight with the tribes of the south for the loss of those 40. There were between 50 and 60 canoes. The canoes were attended by our missionary ship, the Active, the missionary boat, and a small cutter that we have. Mr. Williams accompanied the flotilla. They were five weeks before the fortification of the besieged, negociating with the besiegers, but without effect the first five weeks. The missionaries then returned home, and afterwards, not satisfied, they went back again. Mr. Williams went down in his boat a second time, with Mr. Chapman, Mr. Kemp and Mr. Fairburn, and effected a reconciliation between the two parties. The Bay of Islanders returned home without having destroyed a single individual.

1630. What was the amount of the body of the Bay of Islanders that went upon this expedition?—About 1,500.

1631. Had you endeavoured to deter them from going originally?—Yes; we tried to stop them, but they would not listen to us; they said it was so perfectly contrary to the New Zealand custom that 40 should be destroyed without their death being paid for, that they would not listen to anything.

1632. Is there any other land held by the British?—Yes, there is; but, as far as I know, it has all been purchased. The New Zealanders would not allow anybody to take possession without. If houses were erected upon a New Zealander's land, without giving some payment for it, he would burn them down.

1633. Are the Englishmen pretty well liked by the New Zealanders?—Yes, they are.

1634. Besides the two instances you have mentioned, in which peace was procured by the instrumentality of the missionaries, have any other cases come to your knowledge?—Yes, several. I know of five instances where the schoolmasters, who are missionaries, have interfered. They have been sent for by the tribes who have been quarrelling, and prevented their fighting.

1635. Have they not certain customs called *tapuing*, which form a material obstacle to their civilization and improvement?—Which still form a material obstacle in the southern parts of the island, but not in the north, for they are nearly extinct.

1636. When you first went there were those customs in the north in full force?—They were.

1637. Have they been removed through the agency of the missionaries?—Yes; all within the last six years.

1638. Do you consider that that is likely to have a considerable effect in promoting the improvement and civilization of the people?—Decidedly so; it was so great an obstacle before, that nothing could be done.

1639. Will you state any particular case in which the missionaries were instrumental in removing that system of tapuing?—There are two distinct tapues, one with respect to persons, and the other with respect to things. A man will sometimes tapu a river or a part of the sea, and not allow any living creature to go upon it.

1640. What is the tapu?—It is a separation for some particular purpose. When they are making their nets upon the banks of a river, the whole of that river is considered as sacred till the first fish is caught, and any living creature that is found upon it is destroyed; any property found upon it is consecrated and given to the priest.

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priest. We found, sometimes, that it so far interfered with us, that we could not go down to the Bay.

1641. What was the period of your first successful interference with the natives?—Seven years and a half ago.

1642. In what manner were the missionaries treated by the natives previous to that occasion?—Previous to the death of Hongi, we had very great difficulty to deal with them at all; our lives were in continual danger. The missionaries and their children very frequently slept with their clothes on, and boats were kept afloat in the Bay, that if hostile parties came upon us, we might take to the boats for refuge.

1643. You had not then many converts to Christianity?—Not one then.

1644. Are you acquainted with Mr. Busby, the British resident at New Zealand?—Yes.

1645. Do you know what the nature of his powers are?—He has no power, no authority; he has nothing more than the King's letter.

1646. Do you conceive, that if power were given to Mr. Busby, it might be productive of commercial benefits, as well to Europeans as to natives?—I think decidedly so.

1647. What practical change would you recommend in the position which Mr. Busby occupies in New Zealand, which you think would be beneficial?—I would give him magisterial authority, and something like a constabulary force. He has not even the power of a magistrate.

1648. Would you give him that magisterial power over British subjects only, or over the natives also?—I think over British subjects only; because the natives must be dealt with through the influence of the chiefs. There would never be any difficulty in bringing the natives to a conference.

1649. What would be the benefit of giving to him magisterial power?—He would be able to take up convicts that escaped from New South Wales, and send them to New South Wales; he would be able to restore sailors that had run away from their ships, and left the ship without the complement of men; and he would be able to take affidavits of different people, that might go for evidence before courts of justice, with respect to injuries by Europeans to the natives, or by Europeans to each other.

1650. At present can offences of that nature in New Zealand be tried in the court of New South Wales?—They cannot be tried in the courts of New South Wales, if the crime is committed in New Zealand; but if committed on board a ship, they can, as in the case of Captain Stewart.

1651. How would you propose that such persons should be tried?—In the court of New South Wales.

1652. You would propose to give the courts of New South Wales jurisdiction over offences committed by Europeans in New Zealand, and to enable the residents to take the evidence in writing, and transmit it to the court of New South Wales?—Yes, which should go for evidence in those courts. You never will be able to get people to go 1,100 miles to give evidence.

1653. You think there is no means of constituting a court, even for minor offences, in New Zealand?—I am afraid not, unless it could be done by some of the King's ships, all of which that go to the South Seas visit New Zealand.

1655. Would the removal of those runaway seamen and convicts be a great benefit to New Zealand?—It would.

1654. Have you found any mischievous effects, from the presence of those people, upon the natives?—Upon the natives we do; but they will never come near our settlements at all, if they can avoid it.

1656. Have you any means of ascertaining their number?—Yes, I think I know about 30 or 40 myself.

1657. In what way are they prejudicial to natives?—From instructing them in every thing that is bad; and when they have been there a little time, and gain a little influence over one or two individuals, they procure flax from them, and then they procure a cask of rum, and set up a rum shop.

1658. Do you think sufficient means exist to enable the resident to exercise the magisterial power of apprehending people?—Yes, I think so, especially if one or two constables were sent from New South Wales.

1659. Do you think they would meet with opposition from the natives in their attempts to apprehend them?—No, I think not; I think they would meet with assistance.

1660. Then

1660. Then you think it is rather the technical and legal difficulty of the resident not possessing power which prevents such persons being apprehended, than anything else?—Yes, I think so. The Rev. *W. Yate* 12 February 1836.

1661. The cause is that it is not within the King's territories?—Yes.

1662. Have you known injuries by Europeans upon natives which have been unredressed for the want of such a power?—Yes, many.

1663. Can you mention any instances in particular?—There was the case of Captain Stewart, in which a trial took place in New South Wales, but for want of evidence he was acquitted; that was committed on board a ship.

1664. Do you know any cases of offences committed in New Zealand, and which were, therefore, cognizable by no court?—Yes, I have known several instances of murders which have been committed upon the beach at Kororareka and other parts; I have known several instances where the natives have been killed by Europeans.

1665. What class of Europeans?—They have been some part of the crew of a vessel.

1666. Do you think that if the resident had had a legal authority to apprehend those persons, he would have had the physical means of doing it in those cases?—As he now stands he has not.

1667. Supposing him to have had a magisterial power, would he have met with resistance upon the part of the remainder of the crew?—I think they would not have attempted any resistance to legal authority of that kind.

1668. Then you attribute the escape of those offenders merely to the defect of his magisterial authority in apprehending them?—Yes; but those circumstances took place before Mr. Busby was appointed.

1669. Do you think his appointment, even with his defective power, has been serviceable in preventing injuries of that kind?—Yes, I think it has; they were afraid of the notice he might take; and although he has not magisterial power, he has the power of representing it officially.

1670. In case of a man-of-war being upon the coast, would not the captain apprehend the parties?—I do not know that any case has ever been brought before him of the kind.

1671. Do you know how many British subjects there are in New Zealand?—Upon the whole island from 1,800 to 2,000; and at times there are a great many more. I have known 1,000 at a time in the Bay of Islands, but that has been composed of the crews of several ships, with the residents.

1672. What number of runaway convicts are settled throughout those islands?—You can scarcely distinguish between runaway convicts and runaway sailors. Of runaways there are about 150 or 200 altogether.

1673. What means of safe confinement would there be of an offender till an opportunity occurred of sending him to New South Wales?—I think that no Europeans would attempt their rescue if they were confined in Mr. Busby's premises.

1674. How often do opportunities occur?—Very frequently, once a month at least, and sometimes much more frequently.

1675. Do you think that one resident where Mr. Busby is, with the power you have recommended he should possess, would be sufficient for the purposes of justice?—I should think so, because he can go down the coast at almost any time.

1676. You would give him jurisdiction co-extensive with New Zealand itself?—Yes.

1677. You have mentioned the case of Captain Stewart; will you state what that case is?—He came down to one of the tribes on the western coast who he knew was at enmity with another tribe; he told them that if they would give him 10 tons of flax, he would take a number of them on board of his vessel, and conceal them in the hold, and then take his ship down to Kapiti, and when he got down to this village he would entice the chief and his sons and some of his friends on board, and then he would let those 50 out of the hold of the vessel and they should murder them, upon condition that they gave him those 10 tons of flax. They went on board, concealed in the hold; he took his ship down to Kapiti and anchored her off the village, and the chief and his wife, and three sons and 27 men went on board, and they were then secured, tied up, and the next morning they were murdered, the whole of them, on board this vessel by the 50 natives; some of them were tied up to the boom of the schooner, and their blood was drained and drank by the chief. The poor captive chief had his child in his arms at night; he threw it overboard, that it might not fall into the hands of those wretches concealed

cealed in the hold. So disgusted were the murderers themselves with the treachery of the captain, that they refused to give him the stipulated payment; the son of the murdered chief died in my arms of a broken heart, calling for vengeance upon the white people as the destroyers of his friends. The whole of this statement I have heard repeated by hundreds of the natives.

1678. Captain Stewart was tried at New South Wales?—Yes; he was taken into custody, and was put on bail by the magistrates. He was left at liberty in the colony, and he smuggled the whole of the evidence out of the colony before his trial came on; two of the witnesses came down to New Zealand, and are residing there now. On the trial there was no evidence which could convict the captain.

1679. What is the length of the passage from New Zealand to New South Wales?—The average passage is from ten days to a fortnight.

1680. Do you think if competent courts could be established in New Zealand, there would be any difficulty in procuring the necessary evidence to convict parties?—I think not.

1681. You think that evidence could not be transmitted to New South Wales for the purpose of conviction?—Not without great difficulty. A merchant, for instance, would not like to leave the whole of his concerns in a place like New Zealand, unprotected as his property would be, to give evidence in a court of justice.

1682. If a competent judge should visit New Zealand occasionally, do you think there would be any difficulty in having a trial upon the spot?—I should think not; but that scarcely seems to be a feasible plan.

1683. Can you suggest any plan by which offenders may be brought to trial, being confronted with their accusers, and having the power of cross-examining the witnesses?—None other than by letting the trial take place in New Zealand.

1684. Why do you think it would not be feasible to accomplish it by the periodical visits of a judge?—On account of the great expense of taking the judge and his attendants.

1685. What do you think would be the expense?—It is not merely the judge, but the number of persons attending him; it would be very trifling if he could be sent down in a man-of-war from New South Wales.

1686. How often do the men-of-war go?—All that touch at New South Wales visit us. About once in nine months.

1687. Suppose on the visit of a man-of-war she was to bring a judge, three times in two years, do you think that would remedy the evil to any great extent?—I think it would. If there was a certain day when those things could be judicially examined into, it would be a means of preventing those evils very much, but it is the certainty of impunity that causes them to be committed.

1688. Where was Captain Stewart arrested?—In New South Wales.

1689. Do the New Zealanders make any objection to allow the English to settle there permanently?—Not if they are willing to purchase.

1690. Does Mr. Busby reside among the New Zealanders, or has he any territory which has been acquired by purchase?—He resides upon a small spot of land which he purchased.

1691. Have any other great outrages, committed by the whalers or by merchant ships, come to your knowledge?—Yes; a man of the name of Captain Jack, after those 40 were destroyed at the south, who went down to take vengeance upon the natives there for their loss——

1692. Have not disputes arisen within your knowledge between Europeans and the natives?—Yes.

1693. Did you ever know a case in which, when the facts were really sifted, the fault did not originate with the Europeans?—Not one case has ever come under my own observation, never under any circumstances, but what the Europeans have been the aggressors, or have committed some breach in a known New Zealand law; though I will say that the natives have not always punished the right, that is, the offending party.

1694. But the origin of the dispute and the original fault has been with the Europeans?—Yes.

*Sabbati, 13° die Februarii, 1836.*

MEMBERS PRESENT.

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| Mr. Charles Lushington. | Mr. Hindley. |
| Mr. Plumptre. | Mr. Andrew Johnstone. |
| Mr. Wilson. | Mr. Pease. |

MR. CHARLES LUSHINGTON IN THE CHAIR.

The Rev. *William Yate*, called in; and further Examined.



1695. *Chairman.*] CAN you give the Committee any further information relative to the conduct of Captain Jack, alluded to in your evidence yesterday?—After those 40 natives, who went from the Bay of Islands, were destroyed by the people of the south, he went and purchased the heads of 13 of them, and brought them down to the Bay of Islands, called a number of the people together, and ordered a sack to be brought up from the hold of the vessel, which contained those heads, and then he emptied them down before the parents and friends, the brothers and sisters, and other relatives. That is one of the most dreadful things that can be done in New Zealand. It is invariably punished with death to touch the head of a departed friend by any person but those who are appointed so to do. The chiefs wept bitterly over the relicts of their friends; they went on shore, and told the captain that it was their intention to bring a party and take possession of the ship, and put the laws of their own country into execution. When he found that they really were in earnest, and that they were bringing their war canoes alongside, he cut his cable and went out of the harbour. They met him a short time afterwards at Taurunga, and he was obliged to slip his cable again, and to get away. This was represented to the colonial government of New South Wales, and General Darling issued a government order, that no New Zealander's head should again be imported into New South Wales as an article of traffic. I have known people give property to a chief for the purpose of getting them to kill their slaves, that they might have some heads to take to New South Wales. Now the effect of this conduct of Captain Jack's will be, that the natives at some future time will take vengeance upon some ship's crew where there happen to be a few of the sailors on board that formed the crew of Captain Jack, and for doing this they will of course be branded with cruelty. But there is no question whatever that it will very much interfere with the trade of British merchants to New Zealand.

1696. How happened it that Captain Jack did not become an instant victim to the exasperated feelings of the natives?—Because there were not a sufficient number of natives to insure their own safety at the time, or they would have taken vengeance upon him individually, and the matter would have ended.

1697. Are you aware of any instances of corrosive sublimate being imported into New Zealand?—Yes; one particular instance came under my own observation.

1698. For what purpose?—For the purpose of teaching the natives to invite their enemies down as friends, and then to poison them.

1699. By whom was this corrosive sublimate introduced?—It was by the captain of a vessel trading from New South Wales to New Zealand. One of the principal chiefs, Rewa, came up to me one day with a small paper parcel of corrosive sublimate in his hand. He said to me, "Captain so-and-so has given me this paper parcel; he has told me that if I will ask the Taurunga people down here as friends, 300 or 400 of them, and then give them a feast, we, according to our custom, waiting upon them, if we sprinkle a little of this white powder upon their potatoes, they will all die, and our lives will not be in danger, and so we shall be able to get possession of their lands. Now I am going to do so, but I have not quite enough of it, and you are a doctor, you have white powder upon your shelves, and I want you to give me some more of it."

1700. Have you any objection to state the name of the individual who suggested this nefarious scheme?—The name of this captain was also Stewart, but not the same that committed the other barbarity alluded to in my evidence of yesterday.

1701. And the name of the ship?—I do not know the name of the ship.

1702. When did this take place?—About three years ago.

1703. On receiving this communication from the chief to whom you have referred, what reply did you give?—I immediately told him that it was a very wicked thing, on the part of the man who had advised him to do so. He gave me the sublimate to look at, and I immediately contrived to throw it upon the ground. I was then in the garden with him; I threw the whole of it upon the ground. He was excessively enraged, and threatened to destroy me; he said he would certainly burn the whole of the houses in the station, and drive the whole of the missionaries out of the country for preventing him effecting his purpose, and destroying his enemies in that way. The same Captain Stewart had, but a short time before, produced to me, out of his quadrant case, a bottle of laudanum, with which he told me that, when the natives did anything that he did not like, and were particularly troublesome, he gave them a little of this, which destroyed them at once, and they did not know the way in which they were killed; he put a little of it in their grog; he told me that himself in a passage which I took with him in another vessel to New South Wales; but I thought at the time that this was mere bravado.

1704. Did you receive this information respecting the corrosive sublimate before you went to New South Wales?—No: but regarding the laudanum, I merely took it as among the number of the fearful lies which he was always telling respecting what he had done, and what he intended to do; but when this corrosive sublimate was brought before me, and the packet actually put into my hands, there could be no question about it; I knew it to be corrosive sublimate.

1705. But you considered the mention of the laudanum, at the time you heard it, as mere bravado, and therefore you did not think it worth your while or necessary to make any communication at New South Wales upon the subject?—Certainly not.

1706. Mr. *Plumptre.*] Have the merchants or other importers introduced into New Zealand articles of traffic for their own private advantage, which, in your opinion, have a tendency to increase the cruel dispositions of the natives?—I think not, except muskets and powder, which have now become a benefit to the country. At first the introduction of these weapons of war was a curse, but now it is a blessing.

1707. Has it come to your knowledge that it is the intention of any parties to import Congreve rockets into New Zealand?—I know it was the intention of the late master of the King's ship Buffalo, if he was appointed to New Zealand again, to request the Admiralty to supply him with Congreve rockets, as an article of barter; he told me so himself; I came home in the Buffalo.

1708. What would be the effect of the use of those rockets among the natives, in your opinion?—I think it would have a very injurious tendency; it would lead the people to whom those rockets were given to make some predatory excursions upon distant tribes, with whom they were not at enmity, for the purpose of destroying them, and taking possession of those parts of the country. It would be putting a fearful weapon of destruction into their hands, when they do not know the use of it; and if such a thing could possibly be prevented, it would certainly be well to prevent it.

1709. Would not the use of them, in parts where women and children are living together, be very destructive?—Most terrific. A fortification does not occupy more than half an acre, and sometimes there are 2,000 women and children within it, collected together for safety, and merely surrounded by fighting men; and to throw a Congreve rocket there would destroy the whole of them.

1710. Mr. *Hindley.*] You said that there are about 2,000 British subjects in New Zealand; in what are they principally engaged?—Some of them are engaged in procuring cargoes for merchant ships, others are engaged in cultivating small portions of land, and others again in procuring fresh supplies; some are engaged as ship-builders and ship-carpenters for repairing vessels, others as general merchants, supplying with all kinds of stores any vessel or any person that wants them.

1711. In what part of the island do they reside?—Those that I now mention mostly reside upon the eastern and the western coast, north of the Thames.

1712. At what distance from the British resident?—The greater proportion of them are within four miles of him, others within 30 or 40.

1713. What

1713. What proportion of each sex does the 2,000 consist of?—Certainly not 100 women, excluding the wives of the missionaries.

1714. So that they are not persons who are permanently settled in New Zealand?—Some of them are; there are about 12 or 14 families that are permanently settled there, and they are for the most part respectable men, treat the natives very well, and there is a very good understanding between them and the natives.

1715. Is there any resident of any other power in the island?—None.

1716. *Chairman.*] Can you give the Committee any information relative to the expedition which was sent from New Zealand to Sydney, for the purpose of recovering the wife and child of Captain Guard?—Nothing from personal knowledge; I would refer the Committee to the published statement of Mr. Marshall, the assistant surgeon of the ship.

1717. Is Mr. Marshall in England now?—He is.

1718. Mr. *Andrew Johnstone.*] Are you aware of the case of a captain of a vessel securing certain natives and turning them ashore at the Bay of Islands as slaves?—Yes.

1719. Will you state any circumstances in relation to that case?—I do not know the captain's name nor the name of the vessel. I only know the fact itself. He went down to the East Cape and enticed a number of the natives of that village on board, then weighed anchor and came down to the Bay of Islands. He knew that the Bay of Islanders were at war with those people, and he delivered those 25 young men, who were all of them the sons of chiefs, into the hands of the Bay of Islanders as slaves, to do what they pleased with. Immediately that the missionaries heard of it we took 50 blankets, and with a pair of blankets each, redeemed those men out of the hands of the Bay of Islanders, kept them in our schools for three months, and then returned them to their friends.

1720. What was the date of this transaction?—It was two years last Christmas since we restored them, and it was about three or four months before that that they were brought down.

1721. Mr. *Pease.*] What nation did the vessel belong to?—She was an English ship.

1722. Do you know what the captain of the vessel received from the Bay of Islanders for doing this?—I do not know that anything was received from them, but it was merely to obtain favour in the eyes of the Bay of Islanders, and to procure from them fresh supplies for his vessel.

1723. Are you aware of the object of the captain in visiting those seas?—Yes, it was for whale fishing.

1724. Mr. *Johnstone.*] What became of those young men?—They were taken down by myself and Mr. Williams and restored to their friends, and when we arrived with them and told the people that we had brought their friends home, they were perfectly astonished; they thought they had been murdered on board this ship in the same way that the natives were murdered in Captain Stewart's ship, the Elizabeth, mentioned yesterday. They had gone through the whole of their funeral ceremony, and had buried images in representation of what they considered to be their murdered friends.

1725. Did they receive you with grateful feelings?—The most grateful imaginable; nothing could possibly exceed their gratitude; indeed, we had great difficulty o leave the place, and it was only by the promise that when I got to England I would endeavour to persuade our English friends to send missionaries to them that I could get away.

1726. Were any of them converted to Christianity?—Not any of them; they had never seen a missionary before, nor heard of one, except by the report of a few natives.

1727. Mr. *Pease.*] What length of time might those 25 prisoners have been on board the vessel?—That I cannot answer. It is about 300 miles from their village to the Bay.

1728. Did they give any account of the treatment they had received on board the vessel?—I did not ask them any questions upon that subject.

1729. What has been your own observation as to the conduct of captains and crews of merchant vessels at New Zealand?—Highly demoralizing, but not cruel in general.

1730. In what respect demoralizing?—From the interference with the daughters and wives of the natives.

1731. In any other respect?—Yes; establishing grog shops, and sending rum

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into the interior of the country for the chiefs to give to their children, to bring them up with a taste for this pernicious liquor.

1732. Are you aware of their supplying arms and gunpowder?—Yes; that is done by every ship, and that now cannot be an objection; it would be well for every one to have a musket, for so many muskets and so much powder has been introduced, that it would be well for every man to have his musket, they would then be equally armed, and there would be less aggression.

1733. *Chairman.*] Are the tribes in general hostile to each other?—Yes; some of them are continually at war.

1734. Of how many islands does New Zealand consist?—Of two large islands and one small one at the southern extremity; they are about 900 miles long by 250 miles wide.

1735. Are hostile expeditions frequent between the two large islands?—Not between the two large islands; there are only a few fishing parties upon the Southern Island; it is mostly a continued range of mountain.

1736. Is it your opinion that the enlargement of the powers of the British resident at New Zealand, thereby increasing his ability to protect the natives, by active interference, from the misconduct of Europeans, would be acceptable to the natives?—Yes, I think so; and decidedly advantageous to the European trade, and to the well-conducted part of the community.

1737. Do you think that they would be willing to co-operate with him upon such occasions?—In most instances they would, I have no doubt.

1738. They would not think it an undue interference?—Certainly not.

1739. Do you think that they would be willing to make any reasonable sacrifices for the purpose of maintaining and enforcing such authority?—The greater portion of the chiefs would, and their people would of necessity follow them.

1740. Do you think that such augmentation of the power of the British resident would tend not only to the comfort but to the civilization of the natives?—I think there can scarcely be a question upon that.

1741. Then you imagine that they are not averse to a fair system of civilized government?—I think, from all I know of them, they are desirous of it. They are continually applying to us to give them rules and regulations by which they should conduct themselves in their intercourse with Europeans, and with each other.

1742. Do not you consider that such enlargement of the powers of the British resident would have a tendency to infringe upon the independence of the native chiefs, and therefore might be unacceptable, and probably lead to disagreement?—Not so long as it is confined to Europeans; but the natives would, I believe, resist to the death any attempt to take possession of their country.

1743. Mr. *Johnstone.*] You would approve of the British authorities there being in the condition of consul or minister?—Yes, something of that kind.

1744. You would not approve of our attempting to give them jurisdiction over the natives?—I cannot see how that can be done without making it a British possession, and taking possession of the country.

1745. Mr. *Hindley.*] What is the population of the Northern Island?—About 180,000; of whom I have myself seen the greater proportion.

1746. Where does the British resident generally reside?—In the Bay of Islands.

1747. *Chairman.*] Is the capital situated there?—The most powerful and influential tribes reside there.

1748. What is the extent of this principal town?—It is not a town; but there are a number of villages and fortifications in the vicinity of the British resident, say at a distance of two miles and a half from any large native fortification.

1749. Is there any assemblage of houses in such a number as can be called a city?—I think not; there are 200 or 300 houses in one large village. The natives do not generally live in villages, but scattered about a small district; and there is one place to which they always fly in times of war, which is their fortification, there they all assemble.

1750. Then the largest village you knew consisted of about 300 houses?—Yes.

1751. When the natives are not engaged in war, do they occupy themselves in agriculture?—In agriculture, making their fishing nets, fishing and shooting, and preparing flax for exportation, preparing their own garments with that flax, preparing their canoes, and felling timber for exportation.

1752. Mr. *Hindley.*] Do you think any machinery for preparing flax might be advantageously sent out from this country?—I think so; the reason why this article

article has failed has been latterly that the natives' wants have been supplied, and they are now careless in preparing it; and in so long a passage, not being properly prepared, it receives material injury, and is not fit for use when it comes to England.

1753. Has machinery been imported there?—We have a little ourselves. Mr. Hamlin, who was a weaver, was supplied by the Society with machinery for weaving and preparing flax, which we are now teaching the infants in the infant schools to prepare, that they may know that they can supply themselves with European clothing, manufactured from the produce of their own country.

1754. Are there any different dialects in the island?—No, they speak precisely the same dialect from one end of the island to the other.

1755. Mr. *Johnstone.*] Is it a written language?—It was not; it is now. We have composed a grammar, translated the whole of the New Testament, and printed it, and have now a printing press in the country, which will be worked eventually by the natives themselves.

1756. Have you circulated any other portion of the Scriptures, except the New Testament?—No; except a few chapters of Genesis, and those portions which come in the Liturgy of the Church.

1757. To what extent have you circulated the New Testament?—Supplied every one that could read with a copy, about 1,800.

1758. *Chairman.*] In endeavouring to propagate the doctrines of Christianity among the natives, did you meet with any opposition from the priests?—None whatever from the priests more than from the other natives. We met with opposition for 15 years; at least they would not attend to us; they told us they did not want to be bothered with those things; if we talked to them about their muskets and powder, their cultivation and so on, they would attend to us.

1759. Then their indifference arose more from general indisposition than from any strong feeling of superstition or bigotry?—Yes, from its interfering with their evil passions more than anything else; their own corrupt principles.

1760. Mr. *Hindley.*] What is the number of converts in your society?—I can answer the question so far as my own district goes, but not now with reference to the other stations; there are 70 communicants in my church; there are about 300 adults baptized, and I had 1,000 candidates for baptism before I left. I told them that they must remain as probationers till my return; that if the schoolmaster gave a good report of their behaviour during my absence, I would admit them to baptism upon my return. The greater proportion of those are men; but comparatively few women have embraced the Gospel in New Zealand.

1761. How do you account for that?—I do not know; I think the women are more volatile in their disposition than the men, and less thoughtful.

1762. Do you use the Prayer Book?—Yes, the Liturgy, and all the services of the Church of England.

1763. Can the people read?—Only those that have been instructed in our schools, and those that have been instructed by persons brought up in our schools.

1764. What proportion of the population do you think can read?—A small proportion as yet; it is a very short time since we have been able to establish schools, not more than seven years; not one could then read or write. I should think in round numbers about 2,000 together, in the whole of the stations.

1765. *Chairman.*] Do the unconverted natives molest the new Christians?—I have not known an instance of it; there was one attempt to do so by one of their principal chiefs, but it failed.

1766. Then you find those who are not individually troubled upon the subject have no repugnance to the introduction of Christianity as a general system?—None whatever; they find that it has made them more comfortable, their slaves more obedient, their wives more faithful, and the whole of the people more industrious.

1767. Mr. *Johnstone.*] Does slavery exist to any extent amongst them?—Captives in war are always considered as slaves.

1768. Are there many slaves among them?—Yes, a great number; all that were taken captives in war not butchered upon the spot.

1769. Have you any idea what number it may extend to?—Half the population of the northern district of the island are slaves, and perhaps one-tenth part of the southern.

1770. Have those converted to Christianity shown any disposition to abolish slavery?—They have allowed their slaves to do as they pleased. The whole of the northern part of the island has now established the Sabbath; they allow their

slaves to attend worship, and require no labour from them; they give them every possible advantage on that day and leave them entirely to themselves.

1771. Then although they have not abolished slavery, still the effect of Christianity among them has been to mitigate it very much?—Decidedly, to alleviate it in every sense of the word, and the slaves there are now as happy as their masters, and I may almost say, have as full liberty, except that they cannot return to their friends.

1772. *Chairman.*] Are you of opinion that the circumstance of not having to contend against national superstition affords a very satisfactory ground for expecting success in proselytizing in New Zealand?—Yes, decidedly; the obstacles in our way after the tapu was abolished were comparatively few, having then only to contend with the natural indisposition of men against the truths of religion.

1773. Mr. *Johnstone.*] Have the missionaries ever directed their attention particularly to the condition of the slaves?—Yes, very frequently.

1774. In what manner?—Sometimes by redeeming them from slavery, by giving their masters a small payment; and at others, by persuading the masters to allow them to return home, which has very frequently been done with very good effect to the distant tribes, inasmuch as they carried with them a knowledge of Christianity, and disseminated it.

1775. Then the missionaries have not attacked slavery on general principles, but indirectly?—The time has hardly come for attacking it on general principles, nor can we do so with effect till there is a more thorough recognition of Christianity. When the benefits of Christianity are more seen than they are at present, then we shall enter more into the detail of its duties.

1776. Are the natives in general willing to receive instruction?—All of them.

1777. Have they shown any readiness or anxiety for it?—They are anxious to receive it, and willing to render us every assistance in travelling; they come and carry our luggage, our tents, our canteens, and everything to make extensive journies, to give them instruction in their villages; and they flock in great crowds to our churches and chapels upon the Sabbath-day, and at any time when they know that we are about to hold Divine service.

1778. Do they appear anxious to attend the schools?—Yes, and to send their children. They have established schools in their own villages, under the direction of native youths, under the superintendence of the missionaries themselves, visiting them once a month, or according to the distance.

1779. Mr. *Plumptre.*] Have you a sufficient number of religious instructors now?—No; we want 20 more, at least. I succeeded in my object in coming to England so far. I wanted five more clergymen, and three or four schoolmasters, and a wheelwright.

1780. Is the Church of England Missionary Society the only society that have labourers there?—The Wesleyans have two.

1781. Mr. *Hindley.*] You said that there are 2,000 British subjects there, of whom not above 100 are women; have you known instances of Englishmen marrying New Zealand women?—Yes; I have officiated at the marriage of several myself.

1782. Mr. *Johnstone.*] What have been the effects of the exertions of the missionaries in a general manner?—Abolishing their superstitious observances, establishing the Sabbath, rendering the natives more industrious, bringing a large proportion of their land into a state of cultivation, preventing war, ameliorating the condition of the slaves, making the language a written one, and numerous other benefits.

1783. From the experience you have had in missionary exertions, would you begin by attempting to civilize or by attempting to Christianize?—Certainly by attempting to Christianize. Fifteen years we attempted to civilize without effect, and the very moment that Christianity established itself in only one instance in the island, from that moment civilization commenced, and has been going on, hand in hand with Christianity, but never preceded it.

1784. In dealing with the natives, would you think it desirable or advantageous that the missionaries should have any political power attached to their office?—None at all; we have nothing to do with politics. We can only give advice to the natives when they come to us, and ask our advice as to how they ought to proceed in certain cases, and what laws they ought to establish. It is then our bounden duty as their instructors, to whom they always look, to give them every information in our power.

1785. Then

1785. Then you think it would not be advantageous to the success of the mission, that the missionaries should have a political power vested in them by the government of the country?—Certainly not; they might be called sometimes to interfere when it would very much thwart their efforts by the decision which, in justice, they would be compelled to give; it might prevent their usefulness as ministers of the Gospel. I would not accept it myself; I would leave the country as a missionary rather than do so.

1786. *Chairman.*] The Committee understand that you resided for some time at Sydney?—I have paid several visits to Sydney, and one of my visits extended to a period of six months. Five times I have visited Sydney.

1787. Did you devote much attention to the condition of the aborigines of that colony?—I was very much struck with the difference between those who are living in the interior and those who are in the neighbourhood of the large towns, such as Sydney and Paramatta.

1788. Do you allude to the difference of civilization?—No; the wretchedness of their appearance, and the diseases with which they were evidently infected.

1789. More in the vicinity of towns than in the country?—Much more in the vicinity of towns than in the country; there was a healthiness about the appearance of the country natives that was not to be found in those living within a few miles of the large towns.

1790. To what do you ascribe such deterioration?—To the demoralizing influence which the convicts of New South Wales principally, and some of the settlers, have upon the natives.

1791. Are the aborigines there generally in a very miserable and degraded state?—Very miserable and degraded; much below the New Zealanders.

1792. And yet you describe those in the vicinity of Sydney to be still more debased in their condition and habits?—Still more debased; resulting, I should certainly say, from the connexion they have had with Europeans.

1793. Can you describe at all the efforts which have been made to civilize and to Christianize the natives?—Till within the last two or three years but very little effort has been made at all; the matter had not been taken up by the government; the government now allows 500 *l.* to two missionaries of the Church Missionary Society, who have established a station at Wellington Valley, in the interior of New South Wales.

1794. In former times, the Committee understand, that some attempts were made to introduce Christianity among the natives?—Yes; but they were made in those large towns, or in their neighbourhood, where the natives were still kept under an influence of the character before alluded to. They were ultimately abandoned, but now taken up with greater vigour, and certainly with every prospect of succeeding, from the reports not only of the missionaries themselves, but of very many of the inhabitants of the colony. So far they were obliged to abandon their former efforts, that from the diseases that were introduced amongst the natives, the tribes in immediate connexion with those large towns almost became extinct; not more than two or three remained when I was last in New South Wales of tribes which formerly consisted of 200 or 300.

1795. What is your opinion of the intellect of the aborigines?—I think they are quite capable of cultivation and civilization; they can I know learn to read; I have heard them read very nicely, some few in private families; the women sew and read, and make very good and faithful domestic servants.

1796. It has been stated by the archdeacon, now bishop of Australia, that it had been found absolutely impossible to introduce into their minds any adequate idea of Christianity; do you concur in that opinion?—No, I do not, from the report of Mr. Threlkeld, formerly a missionary of the London Missionary Society, from the continued reports of the Corresponding Committee of the Church Missionary Society in New South Wales, and from my own personal knowledge.

1797. Can you inform the Committee of the extent of the ecclesiastical establishment at Sydney?—There are two churches and two chaplains, and it is the official residence of the archdeacon, now bishop of Australia.

1798. Do many missionaries, not belonging to the Church of England, reside there?—There are some Wesleyan missionaries, but they have nothing to do with the natives, they are merely confined to the European population.

1799. Will you be good enough to describe the measures which have been adopted in consequence of the recent resumption of the attempt to instil into the minds of the natives some ideas of Christianity?—It never was attempted by the

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Church Missionary Society before. We have every reason to believe that it will prove successful, from our missionaries having established schools, which are attended by the native youth, and by many of the adults. They have in some measure been able to correct the vagrant habits of those tribes with whom they are living at Wellington Valley.

1800. You are not aware that such attempts were ever made on the part of the clergymen of the establishment?—I am not aware that they were. As private individuals they have had some of the natives in their families, but there has been no attempt on the part of any public society.

1801. You are not aware that such endeavours, having been undertaken, were abandoned in despair, in consequence of the difficulties that presented themselves?—Not by the Church, by some other societies. I think they were abandoned in despair, as I said before, from the connexion which the natives had with the inhabitants of those large towns, their being drawn off to public-houses, and the demoralizing influence of the people.

1802. Setting aside the moral evil of contact with Europeans, are the natives in the colony of New South Wales generally well treated by the Europeans?—I am not able to answer that question. You do not hear so much of the kind treatment which they receive as you do of the unkind treatment. If a man behaves kindly to a native, and keeps him in his family and does what he can for him, it is not so much known as when he acts cruelly, or a murder is committed upon them.

1803. You do not consider the aborigines totally brutalized?—No, I think not.

1804. Are they capable of gratitude?—They are, and they are grateful; I have known instances of gratitude.

1805. Is it your opinion that hitherto they have been greatly neglected, with reference to their improvement?—Almost entirely neglected by the government; all that has been done has been by private endeavours. They have been called together once a year to receive garments and a blanket, and they have had a feast which the governor has given them.

1806. Do they prefer residing in the vicinity of the towns to occupying their own lands?—No. Generally they prefer being where there are only a few stockkeepers, in the grazing districts, and where they are not liable to such ill treatment.

1807. Do you imagine that the influx of Europeans has led to their being deprived of their just rights?—The inhabitants of New South Wales scarcely made any use of their own country. They never cultivated the land, they never built any houses, they wandered about from forest to forest, and from district to district, living upon just what they could catch, eating roots and catching fish, and killing bandicoots when they met with them. They had no canoes, nothing but a bit of bark stripped from a tree, upon which they floated.

1808. Has our occupation of the sea coast cut them off from a portion of their subsistence?—From a portion of their subsistence in that part; but still I think if they had been well treated personally, our taking possession of their country would not have been an injury to them, considering the way in which they made use of it, merely lying down upon the land, and going from place to place to seek for a precarious subsistence.

1809. Must it not be acknowledged that the aborigines of Sydney have been treated as degraded creatures, unsusceptible of improvement, and hopelessly brutalized?—Yes, I think so. I have heard again and again people say that they were nothing better than dogs, and that it was no more harm to shoot them than it would be to shoot a dog when he barked at you.

1810. Can you mention any flagrant instances of maltreatment of natives by Europeans?—No, I cannot.

1811. The laws, of course, of the colony equally extend to the natives, and place them under equal protection?—Yes, if an European brings forward the accusation; but a native would not be attended to; he would be called a rascal and a dog, and in all probability turned out of the place, when he went to make his complaint.

1812. Why would he not be attended to; because he is supposed not to speak the truth?—For one reason, and because he is looked upon as a character such as was described in the former question.

1813. Is not his testimony received in any court of justice?—I think I recollect an instance in which it was received. I know there were some trials with which the

the natives were connected; but whether their evidence was taken or not I cannot say. Sir Edward Parry would be the person to give information upon that subject, he was so intimately connected with the natives at Port Stephens, and he knows the difference between the natives, kindly treated as they were under his government, and those who are living in the large towns. The Rev. *W. Yate.* 13 February 1836.

1814. Are the natives employed by the Europeans upon any sort of out-door or domestic labour?—I have never seen them employed, except at Port Stephens.

1815. When they are so employed, do they receive regular wages?—They receive wages in food, and sometimes clothing. They have always been found faithful; there is no instance that has come to my knowledge but what a native that has been trusted has been found faithful to his trust.

1816. Do the natives in the interior possess any land; have they any idea of property?—There are certain very large districts which they claim as belonging to different tribes, but which the English took possession of, without taking any kind of notice of their claims.

1817. Then, as our settlements have extended, we have continued to deprive the natives of what unquestionably belongs to them, without affording them any compensation?—Yes; and if they have been found upon their own property, they have then been treated as thieves and robbers.

1818. Then, when a new station is established, no question is ever entertained as to the right of the natives?—I have never heard of its being entertained.

1819. But they are driven back into the interior, as if they were dogs and kangaroos?—So far as I have heard.

1820. What other stations besides Sydney have you visited?—Port Stephens, Paramatta, Windsor, Richmond, Liverpool, Campbell Town, and all the large districts of the colony.

1821. Are the habits of the aborigines in those subordinate stations similar to those in the vicinity of Sydney?—Those in the vicinity of Sydney are so completely changed, they scarcely have the same pursuits now; they go about the streets begging their bread, and begging for clothing and rum. Those in the interior have not the power to do that; they cannot go to those large towns. The natives of one tribe will not allow the natives of another tribe to come into their district; a battle would immediately ensue.

1822. Is it your opinion that they are better treated by the Europeans at the outposts than in the metropolis?—No, I think not; taking the numbers that are to be found in outposts, and those in Sydney, and the power which they have to do mischief, there is as great a disposition in the outposts to acts of cruelty.

1823. Will you have the goodness to state the measures which, in your judgment, it is incumbent upon a civilized government to adopt, for the purpose of improving the wretched condition of the aborigines in New South Wales?—To recompense them in some way for forcibly taking possession of their lands, and that in articles which are likely to be useful to them; to collect, if possible, some of the most vagrant tribes together, and to give them assistance in building comfortable houses, and for some time supplying them with food, leading them to habits of industry; to cultivate their own land, that they may supply themselves with food; and above all, to use every possible means to give them Christian instruction, which, after all, will be the only way of really raising their moral character, and proving the means of their civilization. As far as my own experience goes, without that, I should say, that every thing else would fail. I speak from the experience I have had in New South Wales, in New Zealand, in the Friendly Islands, in the Navigators, the Feejee, and the Hapai Islands in the South Seas.

1824. Mr. *Pease.*] Have you any means of giving the Committee a correct idea of the numbers remaining of the aboriginal tribes in New South Wales?—No.

1825. You have never seen any census, or anything approaching to a census?—No; there are very few in the neighbourhood of the large towns.

1826. What number have come under your own immediate notice?—I have seen from about 900 to 1,000.

1827. In your communication with any of those natives as a teacher of the Christian religion, have you found any disposition to listen to your observations?—I have never been recognized as a Christian teacher there by the natives. My only object in going there was to carry through the press portions of the Scriptures which had been translated into the language of New Zealand. I acted as chaplain there for Mr. Marsden, and occupied the pulpits in the colony, but not in connexion with the natives. I have attended examinations of native children at Liverpool,

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where there was formerly an institution for giving them instruction, and was very much pleased with the acquirements of the children, with the pleasure which was evidently manifested by the parents at their knowledge, and the desire which the parents seemed to manifest to become acquainted with the same things themselves.

1828. Is this establishment under the care of the Missionary Society?—No, it is one of the chaplain's, a private establishment.

1829. What number of children did you understand to be in attendance at that institution?—I think 14 in all. Many more have been under tuition; but when they arrived at the age of 12 or 14, they have gone away with their parents to different parts of the country, and little or nothing has been heard of them afterwards.

1830. Are you aware that great atrocities have been occasionally committed upon the colonists and their labourers by the native tribes?—I believe there have been in some of the distant outposts.

1831. Would you be disposed to attribute that to a general vindictiveness of character, or to a desire for vengeance for those injuries which they have sustained from the whites as a distinct race?—The two instances which came to my knowledge through Mr. Watson, one of our missionaries, certainly go to prove that it was merely an act of retaliation on the part of the natives for injuries received from the stockkeepers.

1832. Are you of opinion that they discriminate as to the objects of their vengeance, whether the parties who fall under their vengeance are the aggressors, or merely as belonging to the white population?—I think generally they view them in some way as connected with the parties who had been the aggressors; but I do not think they always distinguish the real culprit.

1833. Are you of opinion that acts of cruelty perpetrated by Englishmen may be visited, in a way of retaliation, upon parties innocent?—Yes, I know it to be the case in New Zealand; and from conversations I had with friends in New South Wales, I believe that has been the case there also.

1834. That being the case, have any efforts been made by the English colonists to restrain each other from any line of conduct which might be attended with such extraordinarily painful results?—It has never come to my knowledge that there have been.

1835. Do you think there is a general feeling among the whites, that those aggressions may be practised upon the natives with impunity?—I am quite sure that there is among the stockkeepers. I do not think it is so in Sydney, or in the large towns; but the stockkeepers are convicts in the employ of the farmers, and perhaps at 100 miles distance, and they are quite out of their reach and control.

1836. Is it your opinion that the introduction of a convict population amongst uncivilized and unchristianized tribes must be attended with very serious consequences, in obstructing the efforts of those who are endeavouring to inculcate the truths of Christianity?—Certainly.

1837. Can you point out any station which has come under your own notice more eligible as a convict station, and not liable to this objection?—No, I think not, now that it is established. Van Diemen's Land is an eligible place for convicts.

1838. There has been no attempt to gather the native population into any particular location, under the superintending care of the British Government?—Not in New South Wales; in Van Diemen's Land there has.

1839. Do you suppose that 200 or 300 of the natives could be assembled under any particular jurisdiction?—Not so great numbers as that at first. When one tribe saw the benefit of it, I think it is likely that it would be possible to collect them; but you must first prove to those people that their condition will really be benefited, and that the property they possess will be secured to them.

1840. Do you attribute the decrease in their numbers to the introduction of European diseases, or to the absence of those means of procuring sustenance which they formerly enjoyed?—Certainly not to the absence of those means of procuring sustenance, but to the introduction of European diseases, arising mostly from intemperance of every description.

1841. Do you know whether they practise polygamy?—Yes, they do. Their children are brought into the world now with the seeds of diseases in them which a few years ago were quite unknown in the country.

1842. Are the rites of marriage practised among them?—Nothing more, I believe,

lieve, than merely seizing by force the person that they intend to marry; the strongest gains the day.

1843. In addition to the resident chaplains, are there any missionaries sent out by the Church Missionary Society?—I stated the number of chaplains in the town of Sydney alone, namely, two; there are 17 chaplains I believe in the colony.

1844. You distinguish between chaplains and missionaries?—Yes, the missionaries have nothing to do with government; they are under the direction of the Church Missionary Society, and the government pays them 500*l.*

1845. Are there missionaries besides the chaplains?—There are two missionaries from the Church Missionary Society. Those two missionaries have nothing to do with the white population, they have not a license to preach in the churches, but by the sufferance of the archdeacon.

1846. Are there any other missionaries in the island?—There are none that have anything to do with the natives. There are different sects of Christians who have their chapels in the towns; the Wesleyans and the Independents.

1847. Then you apprehend that th conversion of the natives has not at present been made a specific object by any other society?—It was tried once by the Wesleyan Society and I think by the London Society; but there is a man, Mr. Threlkeld, who was formerly in connexion with the London Missionary Society, but who separated from them; he was then employed by the archdeacon of New South Wales to instruct the native population, which he is endeavouring to do in the district of the Hunter River, and I believe with some success.

1848. Are you aware whether any battles or quarrels take place amongst the native tribes of New South Wales?—Frequently.

1849. Are they in possession of fire-arms?—I have never seen them with fire-arms.

1850. Do you think that the English Government prevents their obtaining possession of fire-arms by any particular care?—I do not know that they do; I should think not.

1851. Mr. *Hindley.*] You say you think it would be desirable to locate them at particular spots; do you consider that practicable?—I think a trial should be made; there will be little done with them with their present vagrant habits.

1852. Are you aware that Archdeacon Broughton has given evidence before this Committee that in his opinion they are not capable of being so located?—Yes; but I think they might be so located; it is a matter of opinion upon which we may differ. I think the only attempts that have been made have been with individual natives who have been brought from different tribes, and the consequence has been that their friends and relations have come and persuaded them to return again.

1853. Have any attempts been made to assemble any considerable number of the natives together and to locate them in villages or stations, with a view of introducing the arts and comforts of civilization amongst them?—I believe not; certainly not to my knowledge, not to bring them together.

1854. Do you draw a comparison favourable or otherwise between the mental, moral and physical powers of the aborigines of New South Wales and the New Zealanders?—The New Zealanders are very far superior in mental and moral and physical powers. I cannot well conceive any two tribes who are decidedly uncivilized, differing more completely in those respects.

1855. Then you would undertake the spiritual and moral culture of the New Zealanders with much more hope of success than that of the aborigines of New South Wales?—Yes, I think I should; but I should by no means despair. If the Church Missionary Society chose to remove me from New Zealand to New South Wales, I should not hesitate a moment in going, and that with sanguine expectations of success, though I should perhaps have to pursue a different line of conduct.

1856. Mr. *Hindley.*] Do you understand the language of the natives of New South Wales?—No.

1857. Would not this account for your having a different impression of their intellect, your having been unable to converse with them?—There are so many of them that talk English from their youth, English may be said to be their mother tongue; they talk it as perfectly as I do myself.

1858. Mr. *Pease.*] In the institution to which you alluded are they taught in English?—Yes, solely.

1859. *Chairman.*] Have the habits of the aborigines of Sydney much changed of late?—

late?—Judging from the habits of other tribes living very near them, I should say they have.

1860. Have they, in your estimation, increased so much of late as to justify more sanguine expectations of introducing Christianity among them than were entertained by clergymen and missionaries within these few years?—From the change which has evidently taken place in the immediate neighbourhood where the missionaries are residing, I think there is every reason to hope that Christianity may be eventually introduced amongst them.

1861. Do you think the soil is better prepared now than it was a few years ago?—No, I think not; but I think they failed in their plans from forming their stations, not where they would have a connexion with the natives only, but with natives and Europeans. I think the principle was wrong upon which they went. The missionaries who went out received instruction to attend to the natives and to the white population also. Now a man must throw his whole energies into one particular channel in order to effect anything among such a people; it is of no use for him to have a congregation of 2,000 Europeans to attend to, and at the same time to have charge of the natives, who want hourly attention.

1862. Have you visited Van Diemen's Land?—On my way out I did, eight years and a half ago.

1863. Was that before the remnant of the natives was removed to Captain Flinder's Island?—Long before; there was an expedition then out in pursuit of some natives who had committed great depredations upon the farmers in Van Diemen's Land.

1864. Was the removal of the remnant of the natives attended with bloodshed and difficulty?—I was not in the colony at the time; my only means of information was the public prints. I could not give any evidence whatever upon Van Diemen's Land. When I was there I was the whole time at the government house, and I merely heard from the governor the state of the people then, and his having been obliged to send out detachments of troops to protect the settlers.

1865. Mr. *Pease.*] Do many of the New Zealanders speak English?—Very few of them.

1866. Are you obliged to communicate with them through their own language?—All through their own language; we have no other means of correct communication with them; the language that is generally spoken by the sailors and by the New Zealanders is half bad English and half bad native.

1867. Do vessels of other nations, under the British flag, touch at New Zealand?—Not under the British flag; the Americans touch there.

1868. Have you had any opportunity of drawing any comparison between the conduct of British sailors and those of America, and any other nations touching at those islands?—Certainly the Americans behave with very great propriety; and compared with the English, their ships' crews are in much better order; we have very rarely a complaint to make of them; their captains treat the natives well, and the crews generally are not so demoralized as the crews of our British whaling ships.

1869. Are you aware whether any of the vessels touching at those islands under the American flag, have been sailing upon what are called temperance principles, that is, having no spirits on board?—Some of them have, but that has only been lately, within the last few years; but even before that we had comparatively few complaints of the Americans. We could almost always welcome an American captain, being quite sure that we should not have to reprove him for his immoral conduct, and his ill-treatment of the natives. We could not always welcome our own countrymen in the same way.

1870. Do you particularize in your recollection any of those vessels sailing upon temperance principles, as having been marked by the orderly conduct of their crews?—No, I cannot do that.

1871. Mr. *Plumptre.*] If, from the additional contributions of private Christians, or from any grant from Government, more clergymen and missionaries could be sent to New Zealand, have you any doubt that their labours would be well received, and greatly profited by?—No doubt at all.

*Veneris, 19° die Februarii, 1836.*

MEMBERS PRESENT.

| | |
|---|---|
| Mr. Plumptre. | Mr. Wilson. |
| Mr. William Gladstone. | Sir George Grey. |
| Mr. Charles Lushington. | Mr. Baines. |
| Mr. Hindley. | Mr. Bagshaw. |
| Mr. Andrew Johnstone. | |

MR. PLUMPTRE, IN THE CHAIR.

Captain *Andrew Stockenstrom*, called in; and further Examined.

[*The following Paper was delivered in, and read:*]

EXTRACT of a Despatch from Viscount *Goderich* to the Officer administering the Government of the *Cape*, dated 14th June 1827.

Captain *A. Stockenstrom.*

19 February 1836.

IN the establishment for the Eastern Division, you will perceive that I have provided for the residence of a superior magistrate, under the denomination of commissioner-general. I propose to delegate the duty of generally superintending the affairs of that division, of controlling the proceedings of its civil commissioners and inferior magistrates in all cases of urgency, in which the delay of a reference to Cape Town would be prejudicial to the public interests, and of exercising a special superintendence over the affairs of the border. It will be expedient that the commissioner-general should reside at Graham's Town; but he will be strictly subject to the authority of the governor, to whom he will regularly report all his proceedings, and apply for instructions for his guidance.

1872. Sir *George Grey.*] Did you receive instructions from the colonial government in 1827 or 1828 to guide their conduct as commissioners generally?—Yes.

1873. Will you look at that—[*a paper being shown to the Witness*]—Are you able to state whether that is a copy of the instructions?—It is.

[*The same was delivered in, and read, as follows:*]

INSTRUCTIONS for the Commissioner-general.

THE commissioner-general will reside at Uitenhagen, as being the most convenient situation for keeping up a general communication with the frontier, from Graham's Town to Beaufort inclusive.

The duties of this office are comprised under two distinct heads:

I.—Those Duties of the Commissioner-general which relate to the Affairs of the Border and the Tribes beyond it.

1. The commissioner-general will exercise a special superintendence over the affairs of the border in its whole extent (excepting such as are of a purely military character, as hereinafter adverted to), and will for this purpose be put in communication with all the government agents residing with the frontier tribes with whom he can hold a direct correspondence from Uitenhagen. Those agents or missionaries towards the western line of frontier, whose readiest communication is with Cape Town, will continue to correspond with the secretary to government, who will make such communications to the commissioner-general on the subjects of such correspondence as may be necessary; such agents as may be enabled to maintain a direct communication with the commissioner-general will be required to report to him on all proper occasions, and to follow such directions as they may receive from him. They will not, however, cease to communicate with the secretary to government, as it may happen, during the absence of the commissioner-general from his fixed residence, that intelligence may reach government more quickly by direct communication from them than through the commissioner-general.

2. By his residence at Uitenhagen, the commissioner-general will be able to maintain a tolerably direct and speedy communication with the agents beyond the Graaff Reinet, Somerset and Albany frontiers, particularly with those in Caffreland, which portion of the frontier is for the present of greater importance than any other. In the course of his annual tour, as hereinafter directed, he will have opportunities of inquiring minutely into the state of the western border.

In cases of emergency, the agents will, as already directed, communicate with the military posts nearest to their stations, and with the civil commissioner of the nearest district.

3. The commissioner-general will report without the least delay to the secretary to government whatever intelligence he may from time to time receive from the government agents, and what directions he may have given them, together with such elucidations and observations

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tions on his part as the subject may require. He will also suggest, for the information of his Excellency the Governor, such arrangement of the military force on the frontier as his knowledge of the disposition, strength or designs of the border tribes, and of the views of the colonial government with regard to them, may seem to render expedient.

4. He will endeavour to keep up a personal acquaintance with the principal chiefs along the frontier line. The great extent of this line will indeed render frequent communication with them almost impossible, but the commissioner-general will endeavour to visit the whole line from sea to sea, once in the course of each year, if the governor, who will fix the period of its commencement, shall deem it necessary that so frequent an inspection should be made.

5. To the commissioner-general, or in particular cases to one of the civil commissioners, will be intrusted in future the delivery of all presents intended for the chiefs or other persons beyond the frontier, with whom it may be desirable to open or keep up a friendly intercourse; this duty, and generally that of communicating with the native tribes, having been hitherto performed by the military commandant, that officer will be apprised of its transfer to the civil department, and instructed at the same time to direct all officers in command of detached posts, to provide the commissioner-general or civil commissioner, on demand, with an escort, to accompany him to the residence of any government agent or native chief whom he may have occasion to visit.

6. All reports or applications on the subject of cattle, &c., stolen by the native tribes on the eastern frontier, are to be forwarded by the several civil commissioners to the commissioner-general, who will give them such directions as he may judge necessary, with a view either to the recovery of the stolen property, or to the protection of the colonists from further depredations.

7. The troops will remain under the orders of the commandant of the frontier and of the several officers in command of regiments and detachments. The commissioner-general will consider it his duty to convey to the nearest officer in command any information he may receive, upon the knowledge of which measures may be taken for the security of the post or detachment, for the recovery of cattle or other property taken away by the frontier tribes, and generally for the protection of the persons and property of the colonists.

The commandant of the frontier will, in like manner, communicate or cause to be communicated to the commissioner-general, any event or information of importance connected with border affairs that may come to the knowledge of himself or his officers in command of posts.

8. The commissioner-general will require the civil commissioners of the districts of Albany, Somerset, Graaff Reinet and Uitenhagen to furnish him with returns of the number and state of the burgher force of their respective districts, and he will be careful that the lists be kept complete, the proper officers nominated, and all such regulations adopted and maintained as may obtain for the public service the speedy assembly and efficient aid of that useful and respectable force whenever and wherever required.

9. As a considerable portion of the frontier of the Somerset district and the whole of Graaff Reinet is without troops, regular or colonial, the commissioner-general is authorized to direct the assembly of the whole, or any part of the burgher force of those districts, for the purpose of defence against any actual or threatened attack, and in the absence of a military officer may himself take the command of, and employ such force, or direct the civil commissioner, field commandant, or field cornet so to do, reporting the case to the commandant of the frontier, who will move a military force to the point menaced or attacked, or leave its defence to the burgher force, as he shall think fit.

10. The commissioner-general may, when he shall think it necessary, or upon a written requisition from the commandant of the frontier, order the assembly of the whole or part of the burgher force of the four districts hereinbefore mentioned, to be employed under the orders of the commandant; and if the commissioner-general, or any civil commissioner, shall think proper to remain in the immediate command of the burgher force, he shall obey any orders he may receive from the commandant, or the orders of any military officer who shall be present on the spot, and serving with the King's or colonial troops. If the commissioner-general, or civil commissioner, shall not think proper so to remain, they will place the burgher force under the field commandants, or field cornets, at the disposal of the military officer in command.

11. In all cases where any burgher force shall be called out, either at the requisition of the commandant of the frontier, or by order of the commissioner-general, the latter will make an immediate report to the secretary to government of the declared or apparent motive for calling out such force, together with his opinion upon the nature and necessity of the case, and he will communicate whatever information he may possess, or be able to obtain, respecting it.

12. The commissioner-general is further authorized to direct, in any of the four districts hereinbefore mentioned, the assembly of such part of the burgher force under any burgher officer as may be required, to recover stolen cattle, apprehend offenders against the laws, or to patrol for the prevention of depredations. He may likewise authorize the civil commissioners of those districts to adopt the same measures at their discretion, if he shall think fit so to direct.

13. The commissioner-general will use his best exertion to prevent any jealousies or misunderstandings between the civil and military authorities, as all such differences cannot fail of being highly prejudicial to the public service. The military commandant will receive instructions to the like effect.

14. The commissioner-general will endeavour to cultivate a good understanding with all the

the native tribes, and to promote a commercial and friendly intercourse between them and the colonists. For this purpose he will occasionally attend the border fairs, and make special reports whenever he thinks any improvement may be introduced in this arrangement, or their number advantageously augmented.

Captain *A. Stockenstrom.*

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II.—Those Duties of the Commissioner-general which relate to the Interior of the Colony.

15. Civil commissioners of Albany and Somerset, Uitenhagen and Graaff Reinet, are instructed to receive and obey such written orders as may be communicated to them by the commissioner-general, as well as to furnish, or cause to be furnished to him such information or explanations as he shall have occasion to demand from them, or from any of their subordinates; but it is not intended that he should interfere with the usual routine of their duty, particularly with those duties which belong to them as public accountants; and those functionaries will continue to correspond directly with the secretary to government, and with the treasurer and accountant-general, as they have been or may hereafter be instructed. The commissioner-general will, however, be required to make an annual tour of the district of Uitenhagen, Albany, Somerset and Graaff Reinet, and the sub-districts of Beaufort and Clan William, and such field-cornets of the Worcester district as are on the borders of the colony, and to inspect the books of the civil commissioners of Albany and Somerset, and Graaff Reinet, and of the civil commissioner of Worcester as far as they concern the sub-district of Clan William and the border field cornetcies, and make a report to the secretary to government upon the state of each district and sub-district.

16. The commissioner-general will examine strictly all the receipt accounts of the civil commissioners, and will minutely investigate the circumstances of all persons returned defaulters, or in arrear for taxes or land rents within the district or sub-districts hereinbefore mentioned, lists of whom he should obtain from the several civil commissioners previously to his annual tour, making special reports to the secretary to government on all these matters.

17. The commissioner-general will also, upon his annual tour, inquire into the pretensions of all applicants for grants of land, or leases of government farms, upon which he will report to the secretary to government; and he will take an opportunity of visiting any tracts of land remaining unoccupied, and after consulting with the civil commissioner of the district, will report upon the most advantageous mode of disposing of them. He will look closely into the valuation of all newly-occupied lands, and report whenever he thinks that an unfair return has been made of the quantity of stock which such land can maintain, whether such be to the prejudice of the revenue or the occupant.

18. He will on his annual tour make a particular inspection of all the government buildings in the several districts and sub-districts, employing, if necessary, an artificer to assist him in such inspection, and he will, in like manner, pay particular attention to the state of the roads, bridges and ferries, and to the conveyance of the mails throughout the several districts.

19. If the commissioner-general shall observe any want of exertion or culpable negligence in any civil commissioner with respect to the collection of the rents or taxes, he is strictly required to report the same to the secretary to government, as well as any complaints he may receive of mal-administration in any department whatever, together with his observations thereon, and he will not fail to report, for the information of the governor, any improvements which may appear to him to be practicable in the collection of the revenues or in any other branch of the public service.

20. The commissioner-general will most especially direct his attention to the operation of the ordinances, Nos. 49 and 50, and will take every opportunity of examining the books to be kept by the several persons and for the purpose therein mentioned. He will from time to time make reports to the secretary to government on this subject, noticing every departure from these laws and every instance of ill-treatment of Hottentots or foreigners in the service of the colonists that may have come under his observation, and in these reports he will suggest any improvements which may be made in the law regarding those persons.

21. The commissioner-general, whilst on his annual tour, will keep a journal of all his official proceedings, and at its close he will proceed to Cape Town to lay his journal before the governor, and to give such information as may be required for the due consideration of any matters which the governor may think it necessary to bring before the council in consequence of the observations and reports of the commissioner-general.

By command of his Excellency the Governor,

Colonial-Office, Cape Town,
27 September 1828.

(signed) *John Bell,*
Acting Secretary to Government.

Captain *A. Stockenstrom.*

19 February 1836.

[*Another Paper was shown to the Witness.*]

1874. Is that a copy of the remarks on the instructions intended for the commissioners-general?—It is.

[*The same was delivered in, and read as follows:*]

REMARKS on the Instructions intended for the Commissioner-general, confidentially and by permission submitted to the consideration of his Honour the Lieutenant-governor by the undersigned Commissioner-general.

On the 1st article I have only to observe, that as the orders from home mention Graham's Town as the residence of the commissioner-general, I can propose no immediate alteration in that respect, but hope his honour will point out to His Majesty's Secretary of State, that Uitenhagen is in every respect more eligible. His honour is so well aware of localities and the policy of making the latter place the capital of the eastern province, that all arguments in favour of that plan would be superfluous. It is also hoped that the allowance of a suitable house and garden for the residence of the commissioner-general will not be a mere temporary arrangement, and that altogether his honour will bestow his serious consideration on the insufficiency of the commissioner-general's salary compared to any other situation under government, considering the duties to be performed, the responsibility attached thereto, and the establishment indispensably to be kept up; and I feel confident, after considering the contents of the Secretary of State's despatch relative to the post I have the honour of holding, that I do not over-estimate either its importance or its respectability.

On the succeeding clauses I beg leave generally to state, that I think it necessary that in cases of emergency the agents in Caffreland should also communicate with the officers commanding the military posts nearest them.

The commissioner-general should be entitled to an escort, on application to the commanding-officer of a post, when his duties call him to visit any agent, chief or tribe beyond the frontier, and in cases of urgency he should have the power of taking measures for the safety of the colony, and though he should have no right to interfere with the military arrangements of the commandant of the frontier, he should be fully justified in recommending the measures he thinks proper to be taken.

The commandant of the frontier should also have the right of proposing measures to the commissioner-general, as far as refers to the policy of frontier defence; but I certainly think that no burgher force whatever should be liable to be called out by any military officer as such.

The civil commissioner should be bound to order his field-cornets to assist the military, on the application of any officer in command of a post, in cases of emergency, and the armed party, as long as they are actually employed in concert with the military, should of course obey the orders of the senior military officer; but this should not diminish the obligation of the field-cornet, or persons in charge of said party, to report to the civil commissioners the cause of the expedition and the part acted by the burghers, in order to keep alive the impression of dependence solely on civil authority, and to prevent as much as possible the inhabitants becoming more and more habituated to look upon themselves as a force destined to assemble for military operations against the natives on every trifling occasion. Every such report should be transmitted by the civil commissioner to the commissioner-general, with such observations as he thinks necessary, and I have no hesitation in saying that it ought to be made one of the principal duties of the commissioner-general to guard against every unnecessary calling out of armed burghers on the plea of emergency.

In ordinary cases (that is where there shall be no danger in delay), every application for armed assistance of burghers should be made to the civil commissioner of the district from which it is required, and in case of his refusing, the commissioner-general should judge of the expediency of complying with the requisition and placing the burghers under military orders. Of every commando or patrol on which burghers are employed, the burgher commandant should send a particular report to the civil commissioner, who should report to the commissioner-general as above, and the latter officer should consider it his special duty to notice any representation relative to the treatment of the burghers whilst employed on the military service.

As for expeditions exclusively military, I do not think that the commandant should in any way be controlled by the commissioner-general, but I do think that the latter should receive a full statement of every hostile measure carried on, or intended to be carried on, against the native tribes, with the causes and motives thereof; and I also do think that except in cases of the utmost necessity, he should have the right to object to the commencement of such measures until the government can be referred to and shall have decided, for I am confident that the commissioner-general can in no way be of more service (and I say so without any personal feeling against any individual or body) than in checking every proceeding which can protract the frontier warfare and retard the improvement of both colonists and savages.

I am aware that this is opposed to the spirit of the concluding part of the 9th clause of the Instructions; but a long course of experience has proved to me that the interest of the service does not require the military commandant to have the right of calling out the burghers when he thinks proper.

The civil authorities will always see the danger as soon as the commandant, and will be ready to grant assistance always when absolutely necessary, but they should undoubtedly be

Captain A. Stockenstrom.

19 February 1836.

be justified in hesitating, and referring the question of compliance or non-compliance to government, and in future to the commissioner-general.

The right in question, vested in the military commandant, must ever be the source of dispute between the civil and military authorities. I fully agree as to the necessity of the command of the burghers as well as the troops devolving on the senior military officer as long as they act together in actual hostilities, but I think that the object would be fully attained by the instructions merely expressing that in such case the "commissioner-general and every civil commissioner then present in command of any burgher force will consider his or their authority suspended." This would render it self-evident that if either commissioner-general or civil commissioner consent to serve, he or they must obey the orders of the military commander, without supposing the anomaly likely to occur.

On the second head, viz. that relative to the interior of the colony, I have only to observe that it would be well clearly to state that the civil commissioners shall provide all such returns, &c. as shall be referred by the commissioner-general, and which refer to the civil and political administration of their districts; as also that the commissioner-general shall be bound to receive every representation connected with those branches of the administration, which are not referable to the judicial department; shall minutely inquire into the merits thereof, in special cases report forthwith to government if necessary, in cases of urgency make the necessary provision, and in general cases enter them on his journal.

Explanations required by the commissioner-general from the civil commissioners or their inferior officers should of course be afforded.

Cape Town, 28 August 1828. (signed) *A. Stockenstrom.*

1875. Have you the suggestions of the commissioner-general relative to the policy to be adopted with respect to the Caffres, dated 28th September 1829?—I have.

[*The same were delivered in and read, as follows:*]

SUGGESTIONS of the Commissioner-general relative to the Policy to be adopted with respect to the *Caffres* and the occupation of the Ceded Territory beyond the *Genappe*, submitted to his Excellency the Governor.

I CONSIDER it highly inexpedient in the present circumstances of the colony and the Caffre nation to drive beyond the frontiers those kraals, which still occupy part of the ceded territory; but at the same time must recommend that no part of the said territory be entirely ceded to any party of Caffres whatever.

It must be clearly understood by that people that such occupation can only be tolerated as long as their conduct justifies such indulgence on the part of the colonial government, whose title to the said territory must remain undisputed, nor should any other boundary between the colony and Caffreland be acknowledged except that agreed on in 1819 and 1820. The territory from which Macomo and his followers have lately been expelled must be kept clear of Caffres, and no kraal of the said tribe be thereto admitted, but the locations just begun should be extended up to the highest sources of the Kat River.

A conference being likely to take place between his excellency the governor and the Caffre chiefs, the admission of our right to the said territory must be made the basis of all further discussion or treaty, and this question be placed beyond all doubt and future dispute.

I should recommend that the Caffres be liberally dealt with; that the country which they will be allowed to occupy be pointed out to them and marked by clearly-defined natural boundaries; that they be not only allowed to graze their cattle thereon, but also to cultivate the land, in order to attach them the more thereto, and to render the loss thereof a matter of greater dread.

With regard to Pata, Kama and Longa, this concession should be rendered as a reward for the manner in which they have conducted themselves in repressing depredations on the part of their people, though it were well that they be informed that the manner in which those Caffres who have been admitted into the colony with passes for the purpose of taking service, have abused that indulgence, has given great displeasure to the government, and contributed to render necessary the proclamation of the 25th August last, and that government refrains from severer measures only because it is believed that these chiefs have not countenanced that conduct in their subjects. To Luno, Botwan, and the Caffres on the Muncasana, the favour should be extended, with the declaration that several complaints having been made of depredations committed by the people of their kraals, and even suspicions having existed that the chiefs connived at, if not encouraged, these depredations, his excellency had determined upon immediately expelling the said kraals from the ceded territory altogether; that as, however, those proofs were not sufficiently strong to convince his excellency of the guilt of the chiefs, and instances having come to the knowledge of his excellency of exertions having been made by them to recover cattle stolen from the colony, and to punish murders committed by Caffres, his excellency is disposed to try lenient measures for some time longer, and to allow the said kraals to continue to occupy the said territory (within certain limits to be clearly pointed out) under the following restrictions and conditions, which are to be applicable to all the Caffres within the ceded territory:

If stolen cattle be traced into the territory occupied by the said Caffres, every effort is to be used by the chiefs through whose kraals the spoor leads, and by their people, to assist

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the party pursuing such cattle in recovering the same and seizing the plunderers, if they can be found out; but no Caffre cattle should be given or taken in lieu of the cattle stolen; and if the evidence of Caffres shall be necessary to convict the plunderers before a court of justice, the chiefs must enforce their appearance.

Plunderers thus convicted should be sentenced to hard labour for long periods, and they can be usefully employed on the high roads.

Criminals of a different description, such as murderers, incendiaries, housebreakers, &c. must be searched after and delivered up in the same manner.

The chiefs and other Caffres in the ceded territory discovering plunderers passing through their kraals coming from the colony with cattle, shall be bound to seize those plunderers, together with the plunder, and deliver them over to the nearest military post, accompanied by the necessary witnesses; and should any Caffre chief or kraal be disturbed or threatened in consequence of their thus checking depredations, they should be protected by government.

Parties from the colony, under an authorized officer, in search of stolen property, are to be allowed free access to the several kraals, and should be instructed to use violence if they be in any way resisted; but if Caffre cattle be taken contrary to orders, or any other aggressions be committed by these parties, complaint may be made at the nearest post, whence it must be forwarded to the proper quarter, in order that satisfaction may be made.

If it be found that depredations continue, and that any of the chiefs encourage the same, or connive at them, or allow plunderers from other kraals to pass through theirs, or otherwise screen or assist such plunderers, or resist or oppose the parties sent under proper authority in search of them; or if it become evident that any chief has so far lost all influence over his people as to be unable to prevent them plundering, such chief and his people should be expelled from the ceded territory forthwith.

With respect to the Caffres residing in Caffreland, it should be explained that plunderers will invariably be followed, and the chiefs will be expected to do as has been above required from those in the ceded territory, as otherwise they can only be dealt with as encouraging the depredations, and any kraals or chiefs clearly proved to carry on a regular system of plunder against the colony must be considered as enemies, and treated accordingly, inasmuch that a commando shall be sent against them, their cattle taken in order to indemnify the sufferers in the colony, and every resistance punished with severity.

It should be explained to the chiefs, that no Caffres will be allowed to advance beyond the limits to be prescribed to them in the ceded territory, except with such permission as his excellency may in time deem it expedient to grant; with which permission, even if granted, they are not to go anywhere except on the direct high roads to the places specified, or to sojourn where they are in service according to law. It must be understood (as the chiefs all wish it to be understood,) that every Caffre found in the colony beyond the limits, not on the high roads, with legal permission, or in service, is considered an enemy watching an opportunity to plunder or murder, and that consequently every such Caffre will be seized and punished as a vagrant, or fired upon, if he do not surrender; which latter expedient they should know will invariably be resorted to when the Caffres attempt to plunder or commit any other sort of violence.

With respect to that part of the ceded territory beyond the limits just referred to, I beg leave to recommend that wherever the localities admit thereof, where land to any extent can be cultivated, and where sufficient water can be found, the arable land be divided into small proportions of two or three morgen each, and granted to applicants at the rate of one such plot of arable land for each man capable of bearing arms, which such applicant will bind himself permanently to keep upon such land well armed; with the right of pasturage on the circumjacent grazing ground, in proportion to its extent as compared with the arable land or number.

If the grazing farm should be granted on conditions that the grantee keep thereon permanently a man well armed for every 750 morgen to be granted to him, the armed men thus maintained in the ceded territory to be bound strictly to comply with the regulations to be framed by the commissioner-general for their employment in the protection of the frontier, and to be ready to turn out either to act as a burgher commando or patrol, or to co-operate with the military force in such proportions as shall be deemed expedient. The grant to be revocable in case of non-compliance. These conditions must not be understood to interfere with the expenses connected with the granting of the land, or the quit-rent to be fixed thereon.

The necessary burgher officers to be appointed, who are to watch that the burgher force be kept effective, and under whose directions parties entering Caffreland are to be conducted, according to regulations to be framed by the commissioner-general, except where accompanied by a military officer, who in such case would command and act according to his orders.

In case of actual and sudden invasion these burgher officers shall call out the burghers under their orders, upon the requisition of any military officer commanding a post, if the commandant be not on the spot; but under no other circumstances shall the armed burghers be called out into the field, except by the authority of the commissioner-general, or the civil commissioner of the district, or by their own officers, for the purpose of patrolling, checking depredations, or pursuing stolen cattle.

No cattle taken from Caffres to be returned to the person claiming the same before the officer in command of the party taking the cattle shall have satisfied himself by hearing from the herds, or other servants or witnesses, that those were the cattle lost by the claimant:

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ant: in case of doubt or dispute the matter to be referred to the civil commissioner. Positive orders to be issued to the military, that in no case Caffre cattle be taken in lieu of cattle alleged to have been stolen from the colony, except when special orders shall have been given to that effect; and whenever there is any dispute between colonists and the Caffres, relative to cattle claimed by another party, the question invariably to be referred to the civil power.

Individuals on the spoor of lost cattle may apply to the chiefs, but shall not be allowed to use any violence or threats, and recovering any cattle shall be obliged to produce them to his field cornet, with proofs as above specified of their being his.

It is desirable that a village be established on the Kat River, between Fort Beaufort and the Poorl at Williams' School; the water may be led out of the said river, over an extensive tract of fertile soil. Hottentots, who have no other means of subsistence, may be employed in this work, and fed and paid by the government; the expense to be recovered out of the sale of ground. A magistrate and minister should be appointed to reside on the place, which from its favourable localities, and contiguity to a strong military post, will soon rise to importance, and draw to itself a great share of Caffre trade. The Rev. Mr. Thompson, already in the pay of government, employed in a situation where he can be of no use, could be conveniently removed to this new parish, if he would agree thereto.

Similar villages should be established (if the localities of the country admit thereof,) near the other military posts, as they are there likely to prosper, being protected by those posts, and a support to the same.

In other situations along the frontier, where villages are likely to thrive, they should be encouraged, in order to obtain the desired objects of a dense population and disposable force in the immediate vicinity of the Caffres.

The commissioner-general should also be authorized, when the safety of the frontier appears to him to require it, to call out for command and duty such numbers of those inhabitants, who have no visible domestic occupation (which would include the wandering Hottentots), as the emergency may call for, to post them in eligible situations, to make them co-operate with the military; arm those who have no muskets out of the government stores, victual them at the expense of government, and relieve them according to circumstances.

1876. Have you the instructions to the commissary-general and commandant relative to the expulsion of Macomo, dated 8th and 10th of April 1829?—These I have also.

[*The same was delivered in and read, as follows:*]

Sir,

The conduct of the Caffre chief Macomo having of late been productive of the worst consequences to the general safety and tranquillity of the frontier, his excellency the governor caused notification to be made to that individual, about the commencement of the present year, that his early removal from the ceded territory, within which he has been so long permitted to remain by the indulgence of government, would be insisted on and enforced, if necessary, about this time. Previous to any steps being taken for the forcible expulsion of Macomo, his excellency deems it advisable that the other chiefs of the Caffre tribes should be made aware of the motives which have induced the colonial government to decide on a measure of apparent severity against one of their number, and I am accordingly directed to convey to you his excellency's instructions that you proceed, as soon as may be after your arrival on the frontier, to the residences of the principal chiefs along the borders of the colony beyond the Keiskamma, and explain to them the gross provocation which government has received from Macomo, by his wanton attack and plunder of the Tambookies, and his pursuit of them far within the colonial territory, as well as by the continued system of depredation carried on by him or his people against the colonists themselves. You will impress upon their minds as strongly as you possibly can the conviction that in punishing this refractory and turbulent chief, nothing is farther from the wish of his excellency than to disturb the good understanding which prevails between them and the government, of which he received so satisfactory a proof on the occasion of their late meeting near Fort Wilshire, on which occasion that chief alone was absent on the most false and futile pretences. Having thus endeavoured to remove all cause of misapprehension from the minds of the other chiefs, it will be your next and principal object to inquire and ascertain whether, in the present state of the districts nearest to the projected point of attack, the armed burghers could be assembled in sufficient force to co-operate with the troops under the commandant of the frontier in the forcible expulsion of Macomo and his people from the ceded territory, in case it should appear that he is inclined to keep possession of any part of it. You alone will judge and determine whether the burghers are in a fit state for the field; if from the low condition of their horses, or from other causes, you should be of opinion that they are not in a fit state for service, you will apprize the commandant of the circumstances, and report to government accordingly. It is scarcely necessary to impress on you how desirable it would be to accomplish the expulsion of Macomo without having recourse to the service of the commando. Should they appear to be fit for the required service, and the commandant and yourself should agree in opinion that the evacuation of the ceded territory cannot be obtained without hostilities being commenced against Macomo, you will ascertain from the commandant what numerical burgher force it will be necessary to call out, and you will give such directions as shall ensure their assembly at whatever point he may require to have them. The commandant

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mandant will be instructed to refrain from calling out the burghers for offensive operations against Macomo, without your previous concurrence in the propriety of the attack, notwithstanding the provision contained in the 10th article of your instructions, which is to be deemed applicable only in cases of actual or threatened invasion. Should hostilities be thus determined on and commenced, it will be necessary that you accompany the expedition, to ascertain that Macomo's Caffres are actually driven beyond the boundary line fixed at the conference of the 14th October 1819, which you will point out to the officers and others in command, as the precise line of demarcation in that quarter, in such a manner as to prevent all further doubt on that subject. The line of boundary here alluded to is described thus: "The left bank of the Chumie to where it joins the Keiskamma, from thence to the sea, and the ridge of the Kat River Hills to where they join the chain of the Winterbergen, shall be the line of demarcation from the spot at which that ridge touches the Chumie;" so that the waters that fall from that ridge into the Chumie shall belong to Gaika, and those which fall into the Kat River shall appertain to the colony. If the attack be followed by the expulsion of Macomo and his tribe, or if he be induced to retire beyond the said line of demarcation, it must still be notified to him that reparation remains to be made by him to the Tambookies for the heavy loss of cattle they have sustained at his hands, and that, without such compensation being made by him, and if made without his engaging to cease hostilities against them, he will be considered and treated as an enemy to the colony, as well as to them. A similar notification should be made to Mapassa, who appears to have been a considerable sharer of the plunder. It is the object of government to support, as far as possible, the Tambookies under the chief Powana, as well in consideration of their hitherto harmless conduct, as of the extremity to which they have been reduced, and the evils they have involuntarily caused to the colonists, in consequence of the relentless cruelty of their more powerful neighbours.

I have, &c.

(signed) *John Bell.*

Sir,

My letter of last week will have informed you that his excellency the governor and commander-in-chief had deemed it expedient that the commissioner-general should proceed to the frontier for the purpose of co-operating with you in the measures to be adopted in forcing the Caffre chief Macomo to retire from within the limits of the colony, and the restoration of the cattle which that chief had, in violation of justice and the safeguard which the territory of the colony should have afforded, carried off from the Tambookies under the chief Powana and Galela. I have now to inform you that that gentleman has left Cape Town, and it is to be hoped will be in Graham's Town shortly after you will have received this despatch; and that a copy of the instructions prepared for his guidance will be forwarded to you by this day's post. On the arrival of the commissioner-general, it is his excellency's desire that you place yourself in immediate communication with him, and afford him all the information you may be able to give on matters connected with the present state of the frontier, and those occurrences which have induced the necessity of visiting with suitable punishment the turbulent chief before named, and consult with him as to the most proper means of carrying his excellency's instructions into effect; and should there be a perfect agreement between you as to the necessity of commencing hostilities, and you consider the disposable military force under your command sufficient to effect the desired purpose without a risk of failure, you are authorized to do so. Should, however, the force be deemed inadequate, the commissioner-general is instructed to call out the burghers if the state of their horses permit, and place them at your disposal. While the necessary preparations for hostilities are going forward, the commissioner-general will proceed, in the execution of the orders he has received, to communicate to the principal Caffre chiefs the object and intentions of his excellency with respect to the chief Macomo. As keeping the Caffres in ignorance and doubt of the exact point and period of attack, and celerity of movement, is essentially necessary to insure a successful result, you will make as little demonstration as you are able in effecting your preparations. It may be with this view, therefore, proper that the Koonass Pass be the point of assembly for the burgher force, and that they and the company of mounted riflemen there stationed proceed up the southern branch of the Koonass River (the Yola), and meet the mounted troops from Beaufort at some convenient point near the head of that stream, when you will descend and proceed to the kraals in the immediate vicinity of Macomo's residence, and possess yourself of the number of cattle said to have been carried off by him, which accounts agree in stating at about 3,000 head. These cattle, when in your possession, you will deliver up to the Tambookie chiefs, in proportions according to their respective classes. After this first step shall have been taken, you will expel (forcibly, if need be) the Caffres under Macomo, beyond the boundaries of the ceded territory; and if you can, by any means, induce the chief to meet you, explain fully to him that his lawless conduct has drawn upon him the evil he will have suffered, and that he never again will be allowed to return to the country from whence he will have been expelled. In the contemplated attack, his excellency feels assured that he need not enjoin to you much caution and forbearance towards the Caffres; and he trusts that the act of necessary reprisal may be effected without much bloodshed. His excellency, not anticipating any difference of opinion between you and the commissioner-general, as to the necessity of attack, and the means to be adopted for bringing it to a successful termination, has directed the foregoing instructions to be given; should you not, however, be agreed

agreed on all points, all movements must be suspended until the matters of difference be referred to his excellency for his consideration.

I have, &c.
(signed) *W. B. Dundas.*

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1877. Mr. *Lushington.*] Do the Caffres treat their women well?—No, I believe not.

1878. Have the females ordinarily any influence in political matters?—I believe not.

1879. Was not Sutu the widow of Gaika?—I believe that she was.

1880. During the last irruption of the Caffres, did not several missionaries and settlers seek her protection?—I know nothing of what occurred after the beginning of 1833, except by newspapers; by common report.

1881. Did you ever hear that she was instrumental in saving their lives?—No, not until from Mr. Lushington a few days ago.

1882. Is there a missionary station called Bird's Hill?—Yes.

1883. Did you ever hear that it was through the intercession of Sutu that the establishment in question was saved from destruction?—No.

1884. Do you know whether Sutu, in the month of March last, sent two female messengers to the British camp near Fort Beaufort, offering her mediation with Macomo and Tyali?—I know nothing of it.

1885. As you cannot corroborate the report that Sutu was so instrumental in saving the lives of the missionaries and other persons alluded to, you cannot state of course whether she received any mark of favour or reward from the British Government on account of her humanity and conciliation during the transactions alluded to?—I never heard.

1886. Are you not of opinion that if such were the fact she would be entitled to reward?—Decidedly. I think it would be a very politic measure.

1887. Was not her late husband for a long time an ally of the British Government?—Yes.

1888. Did not he make two considerable cessions of territory, either voluntarily or compulsorily?—In 1819 he ceded to Lord Charles Somerset the land between the old and new boundary on the Caffre side.

1889. Was he generally faithful to his engagements?—He was considered not. Various charges of depredations were brought against him; but nevertheless the government considered him so far an ally, that in the year 1818 we sent an expedition into Caffreland to support him against the rest of the Caffre tribes.

1890. What is your own opinion as to the manner in which he adhered to his engagements?—I think considerable depredations were committed by his people, and he was often charged with having acquiesced in them, and even participated in the plunder; but it is impossible for me to say that those charges were proved.

1891. What do you suppose to be the number of Tambookies who are peaceably settled on our borders?—That is almost impossible to state, for they are constantly moving backwards and forwards according to the drought, or to the advantageous state of the seasons.

1892. Can you give the Committee any recent information relative to Waterboer, the chief of the Griquas?—No; I have only heard that there has been a treaty made with him by Sir Benjamin D'Urban. I know him to be a very intelligent man, and by his ability to have worked himself up to the head of the Griquas.

1893. Is not he very much attached to the British Government?—He has always expressed himself so, and I believe he is sincere.

1894. Is he a Christian?—I could not exactly tell; I should suppose so, for when I was in that country in 1820, he was introduced to me as a deacon of the church, which of course constitutes him one.

1895. Sir *George Grey.*] Of what church?—Of the English Missionary Church there, belonging to the London Missionary Society.

1896. Mr. *Lushington.*] Have the colonists ever come into collision with the Griquas?—There has never been open war amongst them, but they have constantly had quarrels about the territory. As the colonists migrated towards the north, they have spread towards the south-east, and consequently there is great jealousy existing between the two parties as to the land on both banks of the Caledon River.

1897. Then the colonists have driven the Griquas to a distance?—No.

 1898. Have

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1898. Have they not encroached upon them at all?—No; the Griquas migrated originally from the western part of the colony, and established themselves in the lands beyond the Orange River, at a place called now Griqua Town; they have gradually spread eastward along the northern banks of the Orange River, while the colonists have spread towards the north also, so that upon the banks of the Orange River the two parties have come into contact.

1899. Sir *George Grey.*] Then this was a voluntary migration of the Griquas?—It was the Bushman country into which they both encroached.

1900. Mr. *Gladstone.*] Are you acquainted with the circumstances attending the establishment of the Griquas at the place now called Griqua Town; and the establishment of the mission at places called Campbell Town and Philippolis, beyond the northern frontier?—Yes, what I have just spoken of.

1901. In whose possession previously was the country where they were established?—Bushmen and Corunnas.

1902. It was theirs by right of occupation?—Yes; and when we first heard of that country the Corunnas were on both banks of the Orange River, but the territory on our northern frontier for a great extent was considered Bushman country.

1903. Had the English nation, or any part of it, authority to take possession of the country?—Not that I know of.

1904. Are you aware whether any part of that country was so taken possession of by any part of the English nation?—Up to the Orange River we have possession of it now.

1905. The part that does not belong to the English Government?—I am not aware of it, it must be since I left.

1906. Are you aware whether any possession was taken of any part of that country in the name of the London Missionary Society?—Philippolis and Griqua Town are now both London Missionary stations.

1907. Are you aware whether the missionaries have taken possession of the country in the name of the London Missionary Society?—I believe, with respect to Philippolis, the thing has been done; I at least saw a paper to that effect given by Dr. Philip, or in his name. It was a Bushman establishment, where some missionary of the Society had established a mission under a Mr. Clark. At that time I had done what I stated in my former evidence, to get cattle from the farmers, in order to give to those Bushmen, and to induce them to breed stock, among other places at this very establishment of Philippolis. Shortly before that there was a rupture between two parties of Griquas at Griqua Town, and one of these, under the name of Berganas, separated themselves and migrated eastward; they came in contact with Philippolis, and possessed themselves of that country, and it then became a Griqua establishment, and subsequently a missionary of the name of Melville was placed there under the authority of Dr. Philip.

1908. Did that missionary take territorial possession of the place?—The Griquas did; they cultivated the soil, and took possession of the place.

1909. You were understood to say that at Philippolis the missionaries of the London Missionary Society had taken territorial possession of the country?—The establishment as a missionary establishment was ceded by Dr. Philip to the Griquas. The Griquas established themselves there, and cultivated the soil, and most of the Bushmen disappeared.

1910. Do you mean that the possession of the soil was ceded by Dr. Philip to the Griquas from the Bushmen?—Yes; a paper was shown to me by Mr. Melville at the time I visited the place in 1830 or 1831.

1911. What was the date of this?—It must be upon record, for there was a strong controversy at the time. I disputed the right of Dr. Philip to dispose of that land at all. The Committee will understand that I am here taken unawares, and that I am obliged to depend for all this upon my memory, but I recollect perfectly that there was a strong representation made by me, as I disputed the right of Dr. Philip to dispose of that land at all.

1912. Did you dispute the right of Doctor Philip on behalf of the British Government?—Not at all. I said that the Bushmen had a right to be there.

1913. Were your remonstrances attended with any effect?—It is a Griqua establishment now.

1914. Doctor Philip did not withdraw any steps that he had previously taken in consequence of your remonstrance?—I do not know whether Dr. Philip ever saw my remonstrance, I suppose he did. My correspondence was with the government.

ment. As a magistrate I remarked upon this, which I considered improper conduct on the part of Dr. Philip.

1915. To whom did you address your remarks?—To the local government.

1916. Are you aware whether any notice was taken of them by the local government beyond notice taken in the replies to yourself personally?—I cannot tell.

1917. Was there not referred to you by the government, for your report thereon, a report of the missions, furnished by Dr. Philip, accompanied by charges of cruelty and oppression on the part of the farmers on the northern frontier towards the Griquas and other bordering tribes?—Yes, and I believe upon that occasion I strongly commented upon this very act of Dr. Philip, with reference to Philippolis.

1918. What was your opinion of those charges against the farmers?—I thought the charges were extremely exaggerated.

1919. Did those charges also affect the conduct of the civil authorities of the colonial government?—There were two or three charges brought by Dr. Philip which he had got from the missionary Colby and others, which I went myself across the Orange River to inquire into, being determined to punish those who should be found guilty; and I found that those charges, as far as the farmers were concerned, were altogether false.

1920. What would you say of them as far as the civil officers of the government were concerned?—I found that there was no ground for charge, if I recollect right.

1921. Sir *George Grey.*] Do you know whether Dr. Philip claimed a proprietory right to the site of Philippolis, either personally or on behalf of the society?—I do not know upon what grounds he claimed it, but he did the act, for I saw the paper. The missionaries Melville, Rolbe and Clarke can give the best information about this paper.

1922. It had been a missionary settlement in the Bushman's country?—Yes, all those establishments, are in the Bushman's country; but this was up to that period a Bushman establishment and those Griquas who had revolted, and separated themselves from Griqua Town, had migrated eastward, and Dr. Philip allowed Philippolis henceforth to be a Griqua settlement.

1923. *Chairman.*] What paper do you allude to?—A paper shown me by the missionary then upon the spot.

1924. What was the nature of it?—In the name of the London Missionary Society he authorized these Griquas to be there.

1925. Sir *George Grey.*] To what extent of territory did that authorization extend?—That paper did not specify; it spoke only of the establishment at Philippolis.

1926. Do you know within what bounds that establishment was comprised?—I cannot say.

1927. Was it purely a missionary establishment, or were there other people residing there?—There were no others but the natives, the native Bushmen and the Griquas that had come.

1928. But before the Griquas came?—Only Bushmen.

1929. Mr. *Gladstone.*] Who gave the name of Philippolis to the place?—I cannot say; some of the missionaries most likely, in compliment to Dr. Philip.

1930. *Chairman.*] By this paper was any territory ceded?—It was a very short paper, to the best of my recollection, embracing nothing more than that, in the name of the London Missionary Society, the establishment was ceded to be a Griqua establishment. I am speaking from memory, but the paper can explain itself, and if it be no longer in existence the three missionaries above named can tell all about it.

1931. Sir *George Grey.*] Are you aware of any means which had been taken by Dr. Philip or any other person, on behalf of the London Missionary Society, to acquire a right to that settlement?—No.

1932. You stated in your former examination that the missionaries have settled beyond the British frontier?—Yes, several.

1933. Do you know in what way those settlements have been established by the missionaries beyond the British territory?—As far as I know, by establishing a missionary upon the spot, and ultimately building a church and a few cottages for themselves and the natives congregating round them.

1934. Is their residence among the natives merely permissive, or have they by any arrangement with the natives acquired a right to be there?—I believe that in

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Caffreland they have acquired a right by permission of the chiefs. In the Bushman country there is no chief to ask permission from.

1935. Mr. *Gladstone.*] Is the right they have acquired a right merely of residence or a right of property over the surrounding country?—I do not believe they have a right of property in any of this, but I could not say how it is in Caffreland.

1936. Who appointed the chief among the Griquas at Philippolis?—I only knew two or three chiefs who were hereditary, and Waterboer is a man that has worked himself up; he has been elected by the people.

1937. You are not aware of any other appointment of chiefs?—No.

1938. Is there any way in which those chiefs can be displaced?—Except by the natives themselves, I see no way.

1939. You do not know whether the missionaries exercise civil authority among the natives in respect to their own social organization?—I know that they do not.

1940. By whom was Adam Cock, the chief of Philippolis, appointed?—I believe he was the son of old Cornelius Cock, who was the chief; and that would make him a chief.

1941. Was Cornelius Cock chief at Philippolis?—Never, that I know of; there were two Cornelius Cocks.

1942. Then how came Adam Cock to succeed his father Cornelius Cock at Philippolis?—Those very people who separated themselves from the establishment at Griqua Town, that migrated eastward, chose him at last for their chief. He was of their own tribe. He also left the establishment at Griqua Town, and mixed himself up with those people. I cannot recollect at this moment that I ever heard of his being appointed by any authority except that of the natives themselves.

1943. You stated the other day the causes that operated to bring the natives and the settlers in collision; have not the frequent droughts taking place in the Caffre country, driving the natives to a state of destitution, occasionally been the cause?—Yes.

1944. Mr. *Bagshaw.*] With respect to the territorial lands, how far eastward, in your opinion, did the lands originally belonging to the Dutch extend?—That is impossible to answer. I must refer to a reply formerly made, that they originally took possession of Cape Town, and that they spread by degrees, never ceasing to spread till they got to the frontier where they are. The government from time to time fixed boundaries, and just as the new country was filled up, again on they went, and that is what has continued to this day.

1945. Is it not the general opinion that the Dutch territory did originally extend as far as the Kat River?—No; but I know that the government granted lone places as far at least as the Coonap River; but these grants were, I believe revoked; and Caffreland was not considered as having originally stretched itself further south-west than Kat. When Colonel Collins travelled up, I then travelled with him as a young man, and there were then farmers in existence, and one particularly was called before him, who recollected in his youth that there were no Caffres living permanently west of the Kat, and that their hunting grounds only extended as far as Kerskana.

*Veneris, 26° die Februarii, 1836.*

MEMBERS PRESENT.

Mr. Fowell Buxton.
Mr. Plumptre.
Mr. Charles Lushington.
Mr. Hindley.
Mr. Baines.
Mr. Wilson.
Mr. William Gladstone.
Sir Rufane Donkin.
Mr. Holland.
Sir George Grey.
Mr. Bagshaw.

## MR. FOWELL BUXTON, IN THE CHAIR.

Captain *Andrew Stockenstrom*, called in; and further Examined.

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1946. Mr. *Gladstone.*] AT page 96 of the printed Minutes of last year, there is a passage in a letter, signed by yourself, to the following effect: "I declined continuing in an office which, by local unauthorized arrangements, had been diverted from the important objects of the supreme government, and transformed into an useless sinecure." There is also in the 119th page of the printed Minutes a passage in a letter of yours, dated November 1834, to the following effect: "And I hope that in my retirement, to which I have been forced by the most unwarrantable arbitrary treatment, which remains to this hour unexplained, no advantage, with you at least, will be allowed to be taken of my distance from Downing-street and the colony." There are likewise other statements which you have made before the Committee. As for example, without quoting particular expressions, that you found that your office was rendered totally inefficient, and, in fact, that it was nullified. Do you still retain those impressions as to the effect produced upon your office?—Fully.

1947. That was through the agency of the colonial government?—I cannot conceive that any other agency can possibly have done it.

1948. You attribute it immediately to the conduct of the colonial government?—Decidedly.

1949. And to have been not in conformity with the instructions sent from home?—No, not in such conformity.

1950. In your evidence, in the 87th page, you have specified, as an example of the neutralization of the powers of your office, that the correspondence on almost every subject went between the colonial secretary and every branch of your department, or what you considered your department. That you consider to have been a local arrangement, contrary to the orders of the Secretary of State at home?—I think so.

1951. Now will you refer to the despatch from Viscount Goderich, dated the 14th June 1827, in which Viscount Goderich adverts to the powers with which your office is to be invested. He writes as follows: "In the establishment for the eastern division you will perceive that I have provided for the residence of a superior magistrate, under the denomination of commissioner-general, I propose to delegate the duty of generally superintending the affairs of that division, of controlling the proceedings of its civil commissioners and inferior magistrates in all cases of urgency in which the delay of a reference to Cape Town would be prejudicial to the public interests, and of exercising a special superintendence over the affairs of the border." Does not it appear to be the intention of the writer of that passage that the correspondence, except in cases of emergency, should be carried on direct between the colonial government and the civil officers and inferior magistrates?—No; the general superintendence of the frontier, and of the affairs of the eastern division, and the special superintendence over the affairs of the border, could not possibly be carried on by me, unless the correspondence of the functionaries went through me to the government.

1952. The question which it was intended to put to you is, not whether your office was constituted on right principles, but whether the colonial government

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deviated from the principles laid down by the Home Government; and with reference to that question, from this passage of Lord Goderich, does not it appear that it was his intention that the correspondence, except in cases of urgency, should be carried on between Cape Town and the magistrates who were under your superintendence, without passing through your medium?—I did not understand it so.

1953. Upon referring to the passage at present, do not you think that is the grammatical interpretation of the passage?—No.

1954. What impression does this instruction of Lord Goderich convey to your mind as to the manner in which the correspondence was to be carried on between the officers under your charge and their superiors?—My impression was, that the Secretary of State intended the commissioner-general on the frontier in every respect in civil matters to represent the governor, and that the business should go through him to the Colonial Office; as otherwise it appears to me that the situation would have been the most extraordinary anomaly that ever was heard of under any government.

1955. Upon attentively considering the passage that has been read to you, do not you see that it was the intention of Lord Goderich that the correspondence should be carried on between the civil commissioners and the government without your intervention?—In cases of emergency, decidedly they would correspond direct with the government.

1956. On the contrary, does not Lord Goderich appear to say, that in cases of emergency they were to correspond with yourself, but that in ordinary cases they should correspond with the government, and without your intervention?—I did not understand it so, nor do I now. I should not understand the situation at all if that was the case.

1957. Do you conceive that the effect of that letter of Viscount Goderich was to give you a general superintendence over that division of the colony?—Decidedly.

1958. Do you consider that the reference spoken of in this despatch is a reference that you were to make, where such a reference could be made without inconvenience, and that the effect of that instruction was to give you an immediate control, in cases of emergency, without referring to the governor generally?—That was the impression I had from first to last.

1959. In the copy of the instructions enclosed in that paper of Lord Goderich there is the following passage: "The commissioner-general will exercise a special superintendence over the affairs of the border in its whole extent (excepting such as are of a purely military character, as hereinafter adverted to), and will, for this purpose, be put in communication with all the government agents residing with the frontier tribes, with whom he can hold a direct correspondence from Uitenhagen. Those agents or missionaries towards the western line of frontier, whose readiest communication is with Cape Town, will continue to correspond with the secretary to government." Do you complain of the continuance of that direct correspondence, where they had access to Cape Town, or do you complain of the non-observance of the general rule, from which this appears to have been an exception?—I complain that, instead of having the superintendence or the control, I had nothing to do with the business but occasional references; my duty was more of an inquisitorial nature. If the Committee will allow me, I can recollect two or three instances to elucidate my meaning.

1960. Was the practice of corresponding directly with Cape Town confined to the agents or missionaries towards the western line of frontier, whose readiest communication was with Cape Town, or, in point of fact, did all the persons placed under your superintendence correspond with the government at Cape Town?—All of them; and in the last year of my staying at the Cape I had no correspondence with any single functionary of any kind in the eastern division, except one or two instances, where the government referred their reports to me.

1961. *Chairman.*] Did you consider, from the instructions contained in this paper, addressed to you by Sir Lowry Cole, that it was necessary that the subordinate agents, where they could do so, should communicate with you; and did you also consider, from the nature of the service in which you were engaged, that you could not discharge your duty without that immediate communication from your subordinate officers did take place with you?—Yes; and in consequence of a deviation

ation from that, the greatest inconvenience has resulted, of which I can perhaps, in one moment, recollect one or two instances, if necessary.

1962. Mr. *Gladstone.*] In reviewing your evidence of last year, the only two specific complaints which appear are the one already reverted to with reference to the correspondence, and another with reference to the commando in 1831; do you quote the commando in 1831 as one of those cases in which the government acted without due respect to your office?—Decidedly; in which I was altogether superseded, and the results were most calamitous.

1963. Sir *George Grey.*] Those instructions which you received from the colonial government appear to direct distinctly that the agents who may be able to maintain a direct communication with you shall be required to report to you?—They did not.

1964. Did you remonstrate with the colonial government on the breach of those instructions on the part of the inferior officers under you?—Repeatedly.

1965. Were any subsequent instructions issued which justified those inferior officers in not communicating directly with you?—I do not know of any.

1966. Were any fresh instructions issued in consequence of those remonstrances?—I do not recollect.

1967. *Chairman.*] Was the practice of those officers to correspond with you or to continue to correspond dicectly with the government?—I say that the last year at least of my stay in the colony I had no communication with any department.

1968. Sir *George Grey.*] Was it during that last twelvemonth that you made those repeated remonstrances to the colonial government upon that specific point?—Yes, and previously.

1969. Mr. *Gladstone.*] Do you consider that the colonial government authorized you to expect that the correspondence of your inferior officers with Cape Town should generally be carried on through yourself?—I did not think the instructions of the colonial government sufficiently explicit upon this point; I complained of those instructions.

1970. Did you think those of the Home Government more explicit?—The main principle of the situation I thought was pointed out clearly enough; the colonial instructions make me do everything and meddle with anything without giving any sort of specific power.

1971. The instructions of the colonial government contain the following passage: "The commissioner-general will exercise a special superintendence over the affairs of the border in its whole extent (excepting such as are of a purely military character, as hereinafter adverted to), and will for this purpose be put in communication with all the government agents residing with the frontier tribes, with whom he can hold a direct correspondence from Uitenhagen. Those agents or missionaries towards the western line of frontier, whose readiest communication is with Cape Town, will continue to correspond with the secretary to government, who will make such communications to the commissioner-general on the subjects of such correspondence as may be necessary; such agents as may be enabled to maintain a direct communication with the commissioner-general will be required to report to him on all proper occasions, and to follow such directions as they may receive from him."

1972. Sir *George Grey.*] Without reference to the practice, if those instructions had been explicitly followed by the subordinate officers, had you any right to complain of those instructions issued by the colonial government?—Not at all, for so far.

1973. Then it is of the practice you complain, and not of the instructions?—So far as that goes.

1974. *Chairman.*] Did it appear to you unreasonable that you should be directed to take the special superintendence of the frontier, and yet that you should be deprived of the means of knowing what was going on by not having the correspondence passed through your hands?—That was my complaint.

1975. Mr. *Gladstone.*] It was your expectation that they should correspond with Cape Town through you?—That they should correspond with me, and I should correspond with Cape Town, not at all interfering with their right to correspond with Cape Town in cases of emergency.

1976. When you found that they corresponded with Cape Town direct when it did not appear to you to be necessary, did you reprimand the civil commissioners and others that were subordinate to you in the first instance?—I spoke to the governor.

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1977. Would not your natural course have been to reprimand the inferior officers for disobedience to what you considered to be the rules of your office?—The government secretary was carrying on a correspondence direct with those functionaries, and I did not clash with them, but I looked to the government.

1978. Can you give the Committee any idea of the nature of the complaints that you made to the government, and the answers of the government?—Yes, I will give instances. At first, when those instructions were drawn up, both the governor and the colonial secretary spoke to me of the difficulties of getting the matter properly arranged. They were puzzled about my situation, if I may use the term; I was then sent on a special mission. When those instructions were drawn up, the governor said, "I should like to feel my way before I settle this affair." Colonel Bell concocted quite a new plan. On my return from the frontier my situation was to become quite a new thing. I was to be at the head of the land board. A surveyor-general was expected out from England, who, under my direction, was to move through various districts, and, with the assistance of the civil commissioner of each district which we should go into, we were to form a committee, at the head of which I was to be placed, from my local knowledge of the country. I was then told that the land questions would become satisfactorily settled, and in the mean time the government would become at home in the colony, and know better how to act. Always anxious to come forward in any way, I agreed to this. I then went upon a special mission. On my return to Cape Town, at George, I saw that the surveyor-general had arrived, and that the government had created a new land board, in conformity with the recommendation of the commissioners of inquiry. I saw that in the Government Gazette the surveyor-general, who had then arrived, the treasurer-general and the auditor-general, I believe, composed this land board, and of course I had nothing to do with that any further, so that all my interference about lands there ceased. On my arrival in Cape Town, I again spoke to the governor, and he was to see about it. I remained waiting without any communication with the frontier, until, as member of the council, I came in contact with documents upon the table of the council with reference to the controversy in dispute between the civil commissioner of Albany and the commandant of the frontier about Macomo's attack upon the Tambookies. As a member of the council, I expressed my sentiments upon this paper. The governor then requested me to write him a letter with my views. I then spoke to the governor, and pointed out the inconvenience of my getting information from the frontier in that circuitous way; but it was perfectly satisfactory to me when he said, "I shall soon be up the frontier, and those things will be all settled." I received instructions about the expulsion of Macomo; I went up and carried them into effect, and at the same time originated and established the Hottentot settlements on the Kat River; that was about the beginning of 1829. Having done this, I returned to Cape Town; the governor was then preparing to go up himself. I went before him on my way back to the frontier, under the impression that now the thing would be settled as he would be upon the spot. I moved my family and everything I possessed, at an enormous expense, to Uitenhagen. On my way I received despatches about the alarm caused by that man, Bezendenhout, whom I have spoken of in my evidence. I had to hurry on to the frontier. The governor went round by Beaufort, and at last he met me at Somerset. When he joined me at Somerset I heard, by accident, the civil commissioner of Albany and the governor's private secretary talking about sending ammunition to the civil commissioner of Graaf Reinet, who had been authorized by the governor to go on a commando against the Bushmen. I then spoke to Sir Lowry Cole about this commando, and said that I was sorry I had not known of it. He said he had told the civil commissioner of Graaf Reinet that he would mention it to me.

1979. What was the date of that commando?—In 1829; the civil commissioner of Graaf Reinet, accompanying Sir Lowry Cole, had gone back on the road to execute this commando; and all I knew about it was this conversation about sending ammunition.

1980. It was not the commando for the expulsion of Macomo?—No, that was done a few months before. Of this commando I received no further notice.

1981. Were you absent from the frontier when this was undertaken?—No.

1982. Under whose order was it undertaken?—The governor gave direct orders to the civil commissioner.

1983. Was the governor on the frontier at the time?—Yes.

1984. Were you yourself on the frontier also?—Yes.

1985. Who

1985. Who made application to the governor for the authority to direct the commando?—That I cannot say; the whole was arranged between Sir Lowry Cole and the civil commissioner of Graaff Reinet, without my knowing anything about it. But I do not complain of this as far as it goes, because the subsequent reports on the part of the civil commissioner might have been sent to me. But I wish to continue the chain of the story. It will afterwards appear what I mean by this. I continued in the suite of the governor on his tour throughout the frontier, and at last we arrived at Graham's Town, where I drew up those suggestions which have been entered upon the Minutes. There again it occurred that all the business of the frontier was conducted between the governor and the functionaries at Graham's Town, without any reference to me whatever. There was a deputation of the Caffre traders, as they were called, the frontier trade being a point particularly mentioned in those instructions. That interview passed between the governor and that deputation and the civil commissioner without my knowing anything at all about it, except seeing the meeting take place. When the governor was returning to the Cape, at Uitenhagen, we were riding out together to visit Colonel Kyler. I took the opportunity of mentioning to him the predicament in which I was placed. I pointed out that I had then been commissioner-general upwards of a year; that I was without any fixed domicile; and that in fact I was a fifth wheel to the waggon, if the words may be used. I quoted the instance of a commando being sent against the Bushmen, and my hearing no more about it, except accidentally hearing of ammunition being sent. I quoted the instance of the important meeting about the Caffre trade, and my standing gazing at the door while the governor was in with the deputation and the civil commissioner arranging matters. I alluded to the expense of the predicament in which I was placed, and the paucity of my means to meet this. Any man who knows Sir Lowry Cole's humane mind will at once suppose what he did. He saw at once the justice of the observation; it was palpable to every man; and I am sure there was not a man upon that frontier who must not have seen it. Perhaps there are gentlemen in this room who would have been astonished to see the commissioner-general in Graham's Town a perfect nonentity upon every point of business, except my suggestions, which I thrust forward. The governor the moment he got back to Uitenhagen told the civil commissioner, "You must leave that large house to us; the commissioner-general must reside in it; and," said the governor, "the very first thing I do in Cape Town will be to put this thing upon a proper footing; I have seen the necessity of it."

1986. Meaning by putting it upon a proper footing, to enlarge the powers of your office?—To put the whole situation of the commissioner-general upon the footing which he now saw it necessary to put it. Enlargement of powers he did not allude to. I state exactly what passed.

1987. Mr. *Lushington.*] Enlargement of powers did not appear to be necessary, but to carry into effect the powers already given?—The powers given by Lord Goderich were quite sufficient for any purpose. I was so delighted with this that I wrote to Colonel Bell, the secretary, with whom I had always been on the most agreeable footing, giving the whole history of this, particularizing this very conversation, and saying that the moment the governor got to the Cape he would have it in his power to arrange matters satisfactorily. All that I wanted was not to swallow the public money without doing something for it. Colonel Bell wrote to me in the most satisfactory terms, promising his assistance, but reminding me of the difficulties.

1988. What were the difficulties that Colonel Bell stated?—It is a long letter; but he said, "I shall do my best; you know the difficulties," or words to that effect.

1989. He did not specify the difficulties?—Not then.

1990. Were you aware of any difficulties in the way of putting your office on a proper footing?—Yes; I must do them the justice to say that it was a puzzling question to prevent the clashing of military and civil power, unless you cut the knot, and say there is the man who shall control the whole. Thus I continued in expectation; I did not care how the thing was settled provided I could do my duty; and I went up in the meantime and completed those Hottentot settlements on the Kat River. We now come to 1830. I got to Cape Town; I there waited till about April or May; finding that nothing was done, and determined to have no quarrel with two men for whom I had the utmost esteem, and whose character still up to this moment I so highly respect, I sent in an official statement, pointing out

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the uselessness of the situation, and stating my consent to retire unconditionally if the situation were abolished.

1991. Who are the two gentlemen you allude to?—The colonial secretary and the governor. This letter is official, and can be produced if necessary. I there said business is going on between the colonial secretary and all the departments without me; what is the use then of keeping up the office when there are so many other objects to meet? Again Sir Lowry Cole's justice shrunk from this; he would not listen to it, but an official answer I did not get. I again went up the frontier, in hopes something would be done, as the governor said there would be a possibility of arranging the thing. When I got to the frontier, I saw that, in violation of those suggestions, and consequently understanding between the governor and the Caffre chiefs, the patrols were taking Caffre cattle; and though I had denied Colonel Somerset a commando, which however the governor did not know at that moment, an order was sent for this commando to go in while I was upon that very spot. Then occurred this unpleasant business, which brought matters to a crisis; for not seeing any steps taken upon my representations, I, when I got to Cape Town, upon leave to answer to an action of the Orphan Chamber, I made up my mind, if nothing could be done, to make serious representations about it. In January a report comes from the frontier that the Hottentots were said to be on the point of attacking the colonists, and that the whole country was in a state of alarm, the boors going against those Hottentots to exterminate them. This I heard by common rumour, which everybody knew, until at last, one Friday morning, the governor sent for me.

1992. About what time?—In January. The governor sent for me to his office at Prota; he showed me certain papers, and at the same time the Government Gazette, in which there was a very severe manifesto against the colonists on the frontier, which I afterwards thought uncalled for; but still this manifesto was in the Gazette, and I read it, and after having read it I then took the opportunity of saying to Sir Lowry Cole, "Sir, this is another instance; this certainly is my business, if I have any business in the world; here is a thing appearing in the Government Gazette, so important a thing, and I know nothing of it till I see it there officially."

1993. Was this manifesto a proclamation of Sir Lowry Cole's?—A government advertisement.

1994. By whom was it signed?—The government secretary.

1995. Sir *George Grey.*] Did that issue from the frontier or did it issue from Cape Town?—The governor had the day before sent it to the Gazette.

1996. Mr. *Gladstone.*] On what score did it attack the colonists?—About their coming together with the intention of destroying the Hottentots; that was the subject.

1997. *Chairman.*] Have you got that manifesto?—I have not; it is in the Government Gazette.

1998. Mr. *Gladstone.*] Was it on the subject of the Hottentots alone, or the Hottentots and Caffres?—I believe the report was that the Hottentots and Caffres were to join to exterminate the colonists; that was the report upon which the colonists had acted.

1999. Sir *George Grey.*] Do you mean to say that this manifesto had been issued upon information not transmitted through you, and upon which you had not been consulted?—Yes. I knew nothing at all about it till I saw it there.

2000. Do you complain that the governor acted with respect to the frontier on information which had not been subjected to your supervision, and of which you knew nothing?—I quote these instances to prove that I was justified in saying that my situation was perfectly useless in consequence of the measures taken by the colonial government.

2001. With regard to this manifesto, was the ground of your complaint that the government had acted upon information derived from the frontier, without any communication with you, and the information itself not having been subjected to you?—Yes, certainly.

2002. Although you were then residing at the Cape, and not upon the frontier?—Yes. I mention this to show that the regular channel was myself, and that it did not come through me.

2003. *Chairman.*] Your two complaints are, first, that you were not made aware of the communications which passed from your subordinate officers; and, secondly, that certain measures of great importance were taken of which you had no cognizance?—Exactly so; I then said to Sir Lowry Cole, that if I had any

business at all, that was mine. I ought to premise, that while I was on the frontier, and this unpleasant business occurred about the commando going into Caffreland, I had written a private letter to Sir Lowry Cole, referring him to my official letter, in which I had offered to retire unconditionally, begging him to put an end to the state in which I was: (I saw that all would end in confusion, and that there was no remedy). He then wrote to me saying, among other things, "Wait until I can personally see you and make arrangements to your satisfaction." On this occasion, at Protea, Sir Lowry Cole said, "Your situation is extremely awkward, and I shall now tell you a plan. Captain Campbell, the civil commissioner of Albany and Somerset, wishes to retire from the service, and if you will take upon yourself the duties of civil commissioner of Albany and Somerset, reserving the title and pay of commissioner-general, with an inferior officer under your orders to carry on the financial business, it will enable me to make a satisfactory arrangement for Captain Campbell, and your object will be gained." I at once said, that if this were done it would entirely defeat the object of the situation. The governor himself had already stated that the duties of the civil commissioner were so arduous that it was impossible to comply with the orders from Downing-street for the consolidation of the situations of civil commissioner and magistrate. My duties heaped upon that would make the mischief much greater, and I would see no chance to get out of it. But I admitted that the principal cause of my objection was a different one; and I here admit that I said I had done nothing to merit promotion, but I had done nothing that would induce me to submit to retrograde, and I would consider, after having held the situation of commissioner-general, that the taking upon me that of civil commissioner would be retrograding.

2004. With reference to that proposal by Sir Lowry Cole, did not he suggest to you that you should retain your jurisdiction as commissioner-general over the other district?—Yes, he did, but he had already pointed out to the Home Government that the civil commissioner could not be a magistrate; how then could it be possible for the commissioner-general's business to be thrown into the same hands?

2005. Sir *George Grey*.] Did not Sir Lowry Cole evince a desire to relieve you from the difficulties in which you were placed?—Decidedly, he said so.

2006. Do not you think a great deal of difficulty arose from the power and jurisdiction of your office not being sufficiently defined?—Yes, decidedly, from the business not going through the regular channel.

2007. Mr. *Gladstone*.] Do not you think a great deal of the original doubt and difficulty is to be referred to the terms of the despatch from home?—No; the local government having that despatch for a basis, might, I think, have framed regulations which would have obviated all difficulty.

2008. Sir *George Grey*.] Do you think that that despatch from Viscount Goderich did define very clearly the nature of the office you were to hold?—So definitely, that, with the powers of a local government, I think everything necessary might be done.

2009. *Chairman*.] You have said that much evil arose from the absence of specific instructions to you; have you received detailed instructions now as to your conduct in the situation of lieutenant-governor?—I have not received them.

2010. Sir *George Grey*.] Have you seen them?—I have seen them in such a shape that I cannot appeal to them; but I have seen them, and they are full and ample.

2011. *Chairman*.] Do you consider they are such as will render your office there efficient for the purposes for which it is intended?—Decidedly.

2012. Mr. *Gladstone*.] In these colonial instructions for the commissioner-general, in the passage which has been already quoted at the commencement, did the term, "all the government agents," include the civil commissioners?—I did not understand it so. I thought it spoke of the agents beyond the frontier.

2013. You did not understand that that part of the instructions referred at all to the civil commissioners?—No, I did not.

2014. *Chairman*.] Do not you consider that these words, "You shall be put in communication with all the government agents residing with the frontier tribes," authorized you to receive communications from the commissioners?—No.

2015. Sir *George Grey*.] With reference to the former question, you think there was an omission in the instructions of the colonial government of any instruction to the civil commissioners to communicate with and through you?—Yes, I think so.

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2016. Mr. *Gladstone.*] Did the agents upon the frontier correspond with you?—They were not put in communication with me.

2017. Sir *George Grey.*] Then you do not charge any breach of those instructions upon the civil commissioners?—No; in fact I do not know what orders they got. I do not know whether they ever saw this.

2018. Mr. *Lushington.*] What is the particular period at which you consider those instructions were disregarded, as respects your paramount authority?—From first to last, to a certain extent. The last year there was no communication between the functionaries and myself at all; but from first to last there was no regular correspondence.

2019. Was that last year a year of great excitement, in consequence of expected or actual hostility with the Caffres?—The last year followed the commando of 1831, of which I complained.

2020. During that period at what distance was Lieutenant-colonel Somerset, the commandant, stationed from you?—I was in Cape Town, and then occurred what I have now mentioned, when the government made this proposal to me.

2021. The question refers to the time when you were actually upon the frontier. At what time was that?—In 1831.

2022. During that period at what distance was Lieutenant-colonel Somerset, the commandant upon the frontier, stationed from you?—He was at Graham's Town, where, by the order from home, I ought to have resided, but where I was never ordered to reside. I had no residence there, and I was then upon the Kat River.

2023. Ordinarily speaking, what was the distance of the communication between you and Colonel Somerset?—At that period, when this dispute occurred, it was about 50 miles from Graham's Town to the Caffre frontier.

2024. In those days Colonel Somerset corresponded directly with the governor instead of through you?—Yes.

2025. That was one of the causes of your complaint?—Upon that particular occasion.

2026. Would it have materially injured the public service if Colonel Somerset had corresponded through you instead of direct to the government?—In how far it would have interfered with the military arrangements I cannot say, but there is not the slightest doubt it would have been beneficial to the frontier if he had corresponded through me; I at least should have known what was going on. Whether in a military point of view it would have been an inconvenience I cannot say, but it strikes me that it would not.

2027. Mr. *Gladstone.*] You think that the relation of authority between you and the military commandant was one difficulty to the arrangement?—There appeared very great difficulty.

2028. Mr. *Lushington.*] Was there any occasion on which the military commandant had communicated directly with the government at Cape Town, when he afterwards requested your advice and assistance when he was in difficulty?—At this moment I cannot recollect any instance.

2029. Mr. *Gladstone.*] In answer to a question from the Chairman you stated that measures of great importance were taken without your consent. By those measures of great importance do you mean commandos, or other measures beside commandos?—The whole administration of the district, civil and military, I allude to.

2030. Your attention is requested to the duties stated in your instructions with reference to the interior of the colony; the examination of the receipt accounts of the civil commissioners, was that head of duty habitually referred to you, and performed by you?—Never.

2031. An annual tour; did you make an annual tour?—Never.

2032. Why not, as it appears to be a part of the instructions?—It will be found that it is said that I am to go when the governor sends me.

2033. It is said, "The commissioner-general will, however, be required to make an annual tour of the district," and so on; did you interpret that passage as meaning that a special command would be sent to you from the governor, whenever you were to make this annual tour?—On referring to the instructions, it will be seen that they cannot be separated.

2034. Had you no communication with the governor on the subject of the inspections mentioned here?—No.

2035. With reference to the receipt-accounts of the civil commissioners; you did not examine them, and they were not forwarded to you?—No.

2036. Did

2036. Did not you call upon the civil commissioners to bring them to you?—No.

2037. Having it in your instructions from the government that you should examine the accounts of the civil commissioners, who were subordinate to you, did not you think it your duty to call upon them to furnish their accounts?—No, not before the government had put them in the way of doing so, before I knew that they had instructions to do so. I have before said that I kept from clashing with the inferior officers of the district, before the government should put matters in proper train.

2038. Did you ever travel along the frontier line from sea to sea?—Never.

2039. Did you ever report cases of negligence of the civil commissioners, or in any inferior officers, upon the frontier?—No.

2040. In speaking of measures of importance undertaken without your intervention, had you special reference to commandos?—Special reference to commandos, but generally.

2041. How many commandos were undertaken during the period you were commissioner of the frontier?—It is difficult to say, for I do not know them all; I recollect two important ones.

2042. There was one in 1829 for the expulsion of Macomo; there was a second in 1829, which was carried on without your cognizance?—Yes, against the Bushmen.

2043. There was a third in 1830, which was at your direction?—Yes.

2044. There was a fourth in 1831, which was without your direction?—Yes.

2045. Are you aware of any other commandos which were undertaken during that period?—Not at this moment.

2046. Then of those four commandos, taking the first, that for the expulsion of Macomo, you have already stated that that was undertaken with your cognizance and your approbation, and you have asserted that you are responsible, to the full extent, for the particular measures taken in that commando?—Certainly.

2047. Did Sir Lowry Cole evince any anxiety upon that occasion that, if it were possible, the removal of Macomo should be effected by some other measure than that of commando?—I cannot tell; the orders will show.

2048. You do not recollect any particular communications that you had with him upon the question, whether military force alone could do it, or whether it would be necessary to call out the burgher force?—I do not recollect it.

2049. But it was at your advice that a commando was had recourse to for that purpose?—Yes.

2050. With reference to the second commando that appears to have taken place, you were not consulted upon it from first to last?—No.

2051. You complained to Sir Lowry Cole upon that occasion?—I mentioned it to Sir Lowry Cole, to prove to him that I was there of no sort of use.

2052. When you mentioned that specific case to Sir Lowry Cole, did you throw blame upon any officer in particular?—No.

2053. For instance; it was the civil commissioner who had authorized the calling out the burgher force?—Under the authority of the governor.

2054. Who do you suppose made the representation to the governor which induced him to give the authority?—I suppose the civil commissioner.

2055. Did you complain of the civil commissioner upon that occasion?—I stated to the governor what had taken place without my being consulted upon the subject; further, I quoted to the governor an instance. My instruction says, that I was to take care of the appointment of the officers to the burgher force, and to keep it in an effective state. At that very time the governor had appointed a commandant at Beaufort, of which I knew nothing at all; and as long as I was there I never knew in any way of the appointment, or removal, or change of a single burgher officer that took place; I was neither consulted upon, nor made acquainted with, any one single appointment.

2056. Can you refer to the passage in your instructions?—" He will be careful that the lists be kept complete, and proper officers nominated, and all such regulations adopted and maintained as may obtain for the public service the speedy assembly and efficient aid of that useful and respectable force whenever and wherever required." In the whole period of six years I never heard of the appointment of a single one of those men.

2057. With reference to the second commando of 1829, did it appear to you that the civil commissioner had been guilty of a breach of duty in making his report

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to the governor, instead of making it in the first instance to you?—I do not know whether the civil commissioner had those instructions.

2058. Did not you institute any inquiry upon that subject, to see to whom it was to be attributed?—Some time after this I heard a rumour that this commando had shot seven unfortunate wretches which they were not in search after, and that a a Bushwoman had been murdered in a cruel way by this very commandant whom the governor had appointed. I then thought it my business to know something of it, and I insisted upon a correspondence from the civil commissioner.

2059. In 1829?—Yes, upon that very commando. It was said that the commando had come in contact with Bushmen, whom they were not in search of, and had shot them; and that a poor woman lying by the side of the road had been shot by that very commandant. It appeared to me very horrible, and I believe I wrote to Colonel Bell about it; and he said, "Get a report from Mr. Ryneveld." I got his report, and there I saw that some people had been shot, but that this poor woman had been killed by accident. Afterwards the attorney-general inquired into this business, and it was a very awful case, I understood.

2060. Did you then demand that the civil commissioner should make his report to you upon all such occasions?—I wrote for this identical report, because I wanted to get at the bottom of these men being shot.

2061. Did you then charge it, either directly or by implication, upon the civil commissioner that he had been guilty of a breach of duty in not reporting to you before authorizing a commando?—I could not charge the commissioner, because I did not know that he even knew my instructions.

2062. Did you endeavour to make it understood by the civil commissioner that he should always communicate with you in future?—No; I always referred to the government.

2063. That was the only occasion at that time at which a commando had been authorized without your intervention?—Yes, I believe so.

2064. The next occasion of a commando was in 1830?—Yes.

2065. Was that undertaken in the same manner?—Fully with my concurrence, upon Colonel Somerset's representations.

2066. Was the civil commissioner applied to then?—I cannot say.

2067. Did you at once, upon Colonel Somerset's representations, authorize the calling out of the burgher force?—There was some correspondence between the government and myself previously.

2068. And after that correspondence you authorized the calling out of the burgher force?—I did; upon the Caffres having intercepted a military party in a bush; and this being reported by Mr. Warder, I then thought the matter serious.

2069. The point to which your attention is requested is, to know whether it is your opinion that there was no undue derogation from your authority upon that occasion in 1830?—No, not that I recollect.

2070. Early in 1831, did not Colonel Somerset come to you to suggest the propriety of another commando?—I cannot say whether it was early, but it was in that year.

2071. You declined giving that authority?—Yes.

2072. You did not communicate to the governor that representation of Colonel Somerset's?—It was done in this way. Colonel Somerset came to me on the race-course, and said to me, "The Boors are complaining that their horses are taken away;" and he said, "I want to send a commando into Caffreland." He said, "I could do it by the military, but I want the burghers who have lost horses to go in." I said, "I had quite enough of the commando last year, and I cannot authorize it without further inquiry."

2073. Did you make further inquiry?—Yes, I went towards the frontier, and I found the country in a perfect state of peace. I was going there upon other business.

2074. Having thought this notice of Colonel Somerset's of sufficient importance to induce you to investigate the state of the frontier, did it not strike you that it would be well to report the circumstance to the government?—Whether Colonel Somerset had made the representation to me or not, it would be my duty to examine the state of the country.

2075. Do not you now think it would have been better to have made a report to the government of that application of Colonel Somerset's?—No; if it was to happen again to-morrow I would not do it; I would just tell Colonel Somerset I shall inquire further about it, and there it would end, as I was responsible.

2076. At

2076. At a later period the commando took place?—Immediately afterwards; I suppose two or three weeks.

2077. Supposing you had communicated that application of Colonel Somerset's to the governor, do you think it would have prevented the commando that subsequently took place?—I dare say it would; but if I had been the governor, and had got acquainted with the particulars, I would have said that such a report was merely made from a sort of invidious motive. I thought my answer was sufficient, and if it happened again I would do the same.

2078. But it appears that the result of that was unfortunate?—Yes.

2079. After that, did Colonel Somerset make his application to the government direct?—Yes; that will appear by the correspondence.

2080. It appears to have been in some measure a joint application from him and the civil commissioner?—I dare say it was.

2081. The governor then authorized that commando?—Yes.

2082. Are you aware whether Colonel Somerset was reprimanded by the military secretary for having made that application to him without in the first instance applying to you?—Yes; I saw a copy of the letter which was sent to him.

2083. Do you know that he was decisively and severely reprimanded?—I believe so.

2084. Did not that suggest to you that the dispositions of the governor were not unfavourable towards your office, and that he was rather anxious that you should be called upon to perform the duties of it?—Undoubtedly, if that measure had been followed up by other arrangements, so as to put the business of the frontier upon a proper footing, there would have been an end to the business.

2085. Upon what supposition was it, with reference to yourself, that the governor authorized that commando?—I do not know; I believe it was that I was out of the way.

2086. Did not the governor afterwards distinctly apprize you, that if he had been aware that you were upon the spot he would not have authorized the commando without reference to you?—Decidedly, and if other measures had followed up that, so as to settle the frontier affair, there would have been an end of it; but from that moment my business ceased.

2087. You think then if he had known you were on the spot he would have applied to you?—I cannot say that positively.

2088. Does not he state it himself?—I dare say he would; he said he would have done so, and his word to me is quite sufficient.

2089. Sir *George Grey.*] You do not attribute to the governor the slightest intention of passing by you upon that occasion?—I cannot say what he meant to do; if my remonstrance had not come in I cannot say what would have been done.

2090. Mr. *Gladstone.*] The governor expressed regret that you did not repeat to him Colonel Somerset's previous application to you, and your refusal to that application?—Yes.

2091. He stated that if he had been aware of that he would not have subsequently granted the commando?—Yes.

2092. He also stated that he would not have granted the application at all if he had been aware that you had been upon the spot?—Yes.

2093. Do not you think, referring to those facts, that they sufficiently indicate that there was no disposition in the mind of the governor to overlook the duties and the importance of your office?—I should say not, provided that immediately after the government had not dispensed with all further correspondence with me upon that subject; and if the inquiry had been gone into with respect to the circumstances which I represented, the whole business might have ended there.

2094. Had you no communications with the governor, in the exercise of your office, subsequent to the communications upon the frontier affair?—Yes; I have just mentioned one, in which I pointed out that there was an official document in the public gazettes, about an important affair on the frontier, of which I knew nothing; and that then, upon that occasion, the governor made a proposition to me to remedy the affair for the future, which I thought did not meet the views of the government.

2095. Subsequently to that had you any communication with the governor about frontier affairs?—Another of a similar nature. There was a report in Cape Town of the Griquas having invaded Graaff Reinet and murdered several families. This lasted for about 10 days; and at last came an additional despatch, an extra post, calling for a commando. Only then did this business come to my knowledge, by my being desired to report on the application for a commando. I then called

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again upon the governor, after having so reported, and then again offered my services to go to the frontier, pointing out the awkwardness of my situation, being in Cape Town, and such important things occurring on the frontier, and my doing nothing in the business. The governor then said it was unnecessary for me to go, but again made another proposal. He said, Mr. Ryneveld, the civil commissioner of Graaff Reinet, wished to retire, and as I was so well acquainted with the district of Graaff Reinet, that commissionership could be blended with my office; but I objected on the same grounds as before. Then the governor said that he appreciated my feelings upon the subject, but he had no remedy. The very next day, or the day after, I wrote him an official letter, pointing out again the perfect uselessness of my being there, and requesting permission to go to the frontier and regulate my affairs, as I meant to leave the colony.

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*Martis*, 1° *die Martii*, 1836.

MEMBERS PRESENT.

| | |
|---|---|
| Mr. Charles Lushington. | Sir George Grey. |
| Mr. Fowell Buxton. | Mr. Baines. |
| Mr. William Gladstone. | Mr. Hindley. |
| Mr. Bagshaw. | Mr. Plumptre. |
| Sir Rufane Donkin. | Mr. Wilson. |

MR. CHARLES LUSHINGTON IN THE CHAIR.

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Captain *Andrew Stockenstrom*, called in; and further Examined.

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2096. Mr. *Gladstone.*] YOU mentioned in your last examination that you had at one time received permission from the government to reside at Uitenhagen?—I was by my instructions ordered to Uitenhagen.

2097. You removed to Uitenhagen in consequence?—I did, in the year 1829.

2098. Those instructions were issued to you by the colonial government?—By the colonial government.

2099. Your permission to reside at Uitenhagen was afterwards withdrawn?—So I understood, and saw afterwards upon the council books.

2100. You were compelled to reside elsewhere in consequence?—An order was sent out in the year 1830, I believe, that I should reside at Graham's Town. I must here observe, that Uitenhagen being fixed by the colonial government was at my own suggestion. General Bourke, when he was to be lieutenant-governor, decided upon that place as the most convenient locality for him to reside at; afterwards, when I was appointed commissioner-general, the order from home specified that my residence should be at Graham's Town. In my communication with General Bourke I found that he was still inclined to have Uitenhagen as the capital of the eastern district; I said it is the same thing to me, but nature points to Port Elizabeth as the ultimate capital of the eastern division, whatever arrangement government may make. In my suggestions and remarks upon General Bourke's instructions, I therefore persisted in this view that the commissioner-general should permanently reside at Uitenhagen, because the only sea-port of importance in the eastern division was immediately near Uitenhagen. In consequence of this, when my instructions came out from Sir Lowry Cole, I found that I was directed to reside at Uitenhagen. My preparations were accordingly made; and when the governor went to the frontier in 1829, I removed, bag and baggage, as then my situation was to have been put upon a permanent and satisfactory footing after the governor should have been on the frontier himself. In course of time the above-said order came from home, as I understood, by a private communication from the colonial secretary, ordering that the commissioner-general should reside at Graham's Town.

2101. As the order for you to reside at Graham's Town issued not from the colonial government, but from the Home Government, I do not conceive that you are disposed to complain of the colonial government on the score of that order?—I never complained of any order to go to Graham's Town, except persisting in my view that nature had made Port Elizabeth the capital; to me, as a private individual, it was perfectly indifferent; my private estates are more conveniently situated to Graham's Town.

2102. But you had gone to considerable expense at Uitenhagen?—Considerable; but I never complained of that.

2103. Assuming

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2103. Assuming your views to be correct, and that Uitenhagen was the more eligible situation for your residence, the order, or whatever it was, removing your residence from Uitenhagen is not chargeable on the colonial but on the Home Government?—I believe I have never yet charged it on the Home Government. I must explain, however. The Home Government at that time took this view: the commissioner generalship was created principally with the view of having a special superintendence over the frontier, and Graham's Town is nearer to the frontier. My view was this: whatever might be the immediate view, ultimately Port Elizabeth would be the capital; but the Home Government insisted on Graham's Town, in consequence of the frontier being nearer to it.

2104. You mentioned a certain period towards the latter part of your tenure of office at the Cape from which all official intercourse between yourself and the colonial government ceased; at what period was that, as near as you can fix it?—I was going to be particular in that respect when the Committee adjourned in the middle of an answer of mine to your last question, last Friday, and I will go on with that if you please. I then stated what I did when the governor declined my services at the period of the inroad into the Graaff Reinet district, and proposed blending my situation with that of civil commissioner of Graaff Reinet. To do the duties which the governor's instructions required of the commissioner-general, in addition to those of civil commissioner of such a district as Graaff Reinet, who was likely to be magistrate into the bargain, and to be answerable for the financial clerk who was to be added to the establishment, was beyond the reach of possibility to a man of my capacity; and to be confined to the town of Graaff Reinet as much as a civil commissioner must be, and thence have a special superintendence over the Caffre frontier, I think beyond any man's power. I have just now said that the reason why the Home Government insisted on Graham's Town in preference to Uitenhagen was the special superintendence over the Caffre frontier and the frontiers generally; but candour obliges me to acknowledge that my main objection was a desire to maintain the commissioner-generalship as I supposed the Secretary of State had made it, and, after having held that situation, not to submit to become civil commissioner. I had therefore made up my mind to resign as soon as the Home Government should enter into the governor's plan. My position consequently was thus: with the eastern division I had nothing to do, except reporting upon reports, whereas from the manner in which these reports reached me, my information on the subject matter could not be one-tenth part as good as that of the original report. Beyond this, all my functions had ceased. I had now twice personally offered my services on peculiar emergencies.

2105. Will you have the goodness to mark the period, as near as you can, to which you intend that expression to apply "beyond this, all my functions had ceased"?—I am now speaking of September or August 1832; they had both times been declined. I had written officially to the government secretary about the middle of January, stating that I was ready to go to the frontier, but had then, September following, received no reply. I had early in the same month of January sent in an urgent communication with reference to the church in the Kat River locations. This was in no way noticed. In spite of all that had occurred, I found that patrols continued taking Caffre cattle, without the least notice of my complaints about the murder of Seco and his people, and the taking of the cattle of Botman. I had, when I was for the first time after my arrival in Cape Town summoned to attend a meeting of council, called upon the governor and informed him that I had, in looking over the minutes of council, observed that during my absence an order had been received from Downing-street, directing that I should resign my seat in council, and take up my permanent residence either in Graham's Town or Bathurst, as my duties as commissioner-general were considered to require my constant presence on the frontier, and I offered to resign my said seat in council immediately. His Excellency replied, "You will continue to attend council, as I do not intend you to vacate your seat; I have written to the Secretary of State upon the subject." My whole official duty was thus reduced to attending council once or twice a month, and reporting about as often on some document or other. Beyond this, the affairs of the eastern frontier only reached me through the newspapers or common report. Thus when I found that the governor, instead of acting upon the Downing-street order lately received, projected the consolidation of the commissioner-generalship and the civil commissionership of Graaff Reinet, and declined employing me on that important occasion, my position appeared to me a very degrading one; and I, after much torture of mind and

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deliberation, wrote the following letter to the governor: "Cape Town, September 15th, 1832." [*The same was read, and the reply to it*].

2106. The *Chairman.*] It is the wish of the Committee to confine their proceedings as strictly as possible to the primary object of their appointment; they hope, therefore, that in your answers you will observe conciseness as much as possible consistent with what you consider to be the vindication of your character?—Mine are merely answers resulting from the questions put to me. I have no wish to push matters beyond giving full and explicit answers.

2107. Mr. *Gladstone.*] Now have the kindness to mark the period, as near as you can, to which you intend that expression to apply, "Beyond this, all my functions had ceased"?—From the period that I complained of that last commando and no steps being taken in consequence of my representations.

2108. Was that immediately after the commando, or when was it?—If I may have access to the records, I can mention the date of my last letter. It was the 31st August 1831.

2109. The commando took place I think in July?—In July.

2110. Did not Sir Lowry Cole write to you after that commando of July, requesting you would continue your correspondence with the government?—Yes; at the same telling me to wait until I should have a personal conference with him.

2111. Did he desire that your correspondence should be suspended until you should?—No; to suspend my further steps with reference to the abolition of my office.

2112. And during that interval, while those steps were to be suspended, was it not his request that your correspondence should be continued with the government on subjects relating to the frontier as usual?—Yes; and I believe the correspondence continued, whenever it came in my way, up to that period; whenever I had anything to do, I did my duty.

2113. After the month of August 1831?—Yes; whenever a thing was handed to me to report upon, I did my duty.

2114. There was a point not explained, I think, about field commandants and field cornets; to whom did you conceive that those appointments were committed; in common language, who had the patronage of those officers?—I suppose the governor.

2115. Were they not put in the power of the civil commissioners?—The civil commissioners had not the appointment of field cornets, that I know of.

2116. And you apprehend they were appointed actually by the governor?—I believe so; at least it used to be the custom; I never heard of any field cornet being appointed by a civil commissioner.

2117. The terms of your instructions I think were that you should see that proper persons were nominated?—Yes.

2118. What did you understand by that language? Did you understand that you should have the nomination, or that you should have the power of objecting to nominations in case persons appeared to you to be unfit?—My understanding was that the civil commissioner should recommend them to me, and I should recommend them to the governor; that their appointments should go through me.

2119. As drawn from that language in your instructions?—Yes.

2120. Do you still think the language of your instructions bears out that interpretation?—Will you show me the instructions?

2121. It is the 8th head [*showing it to the Witness*]?—Yes; if I were to receive these instructions to-day, I would think that that was to be the meaning of them.

2122. That the recommendations or the appointments should proceed from you and not from the civil commissioner?—They would come from the civil commissioner to me. The business would take the exact course as now, only go through me instead of going to the Colonial-office, and my knowing nothing at all about it.

2123. And that therefore the appointment would depend on your determination?—On the governor's. I had no objection to that, only that it should go through me; I only wanted to know who they were, that I should know something of their character, and who they were, which I never did. I never was asked a question on the subject, or ever received notice of one single appointment.

2124. With reference to the commando against the Bushmen in 1829, you were not, I believe, upon the spot at Beaufort when it took place?—No.

2125. Were you not at Somerset at the time?—I was on the Caffre frontier, but met the governor at Somerset.

2126. Subsequently?—Yes.

2127. At

2127. At the period of the commando how far were you from Beaufort?—I should think about 200 miles.

2128. How many days' journey?—It would take I should think about four days on horseback.

2129. It was then during your absence that the governor authorized that commando?—Yes.

2130. At the instance of the civil commissioner?—I believe so.

2131. Do you suppose he would have authorized it without application to you if you had been upon the spot?—I cannot tell.

2132. Have you an opinion on the subject?—Yes, I have.

2133. What is that opinion?—Taking the general system, and knowing that other things were done without reference to me, I am not confident in my own mind that the governor would have deemed it necessary to speak to me; but it is impossible for me to say what he might have done.

2134. I think you mentioned the shooting of a woman beyond the frontier in that commando, by which you were particularly shocked?—Yes, if the report was true.

2135. Are you aware whether Sir Lowry Cole took any steps to procure the punishment of the authors of that outrage?—No; I believe the attorney-general took the case in hand.

2136. Was it not by Sir Lowry Cole's directions?—I dare say it was, but I cannot tell; I never heard.

2137. Do you know whether the parties were punished?—Why, upon my word, I do not know; I cannot tell; I received no notice.

2138. Do you know what the difficulty experienced in punishing them was?—No, I do not recollect.

2139. Sir *George Grey.*] Where was the offence committed; within the colony or beyond the frontier?—I cannot tell you.

2140. Mr. *Gladstone.*] Was not that commando an expedition beyond the frontier?—I was told there were some doubts on the minds of the witnesses afterwards, before the magistrates of Beaufort, whether it was within the boundary or not.

2141. Would not those doubts in themselves create a difficulty?—Yes.

2142. But you do not happen to know whether Sir Lowry Cole ever proposed any ordinance for the purpose of preventing a recurrence of such outrages?—I do not know; but I beg it may be particularly understood that I never charged any neglect to Sir Lowry Cole upon that subject. I believe I have observed on a former occasion that I possibly could have no objection to Sir Lowry Cole sending out a commando against the Bushmen, even if I had been on the spot. I only mean to say, that I never heard of this commando until I heard the question debated about sending ammunition to the civil commissioner of Graaff Reinet, and that on his returning even, I received no sort of report upon the subject until I was induced to call for it.

2143. Mr. *Buxton.*] Do I understand you that it is possible you would have consented to it, or that you do think you would have consented to it under the circumstances?—Under which circumstances?

2144. Under the circumstances which seemed at that time to call for it?—It is very possible; but I shall be obliged to refer to the documents; I have been acting all this time upon memory.

2145. Mr. *Gladstone.*] The commando which took place in 1830, you have already stated, was sanctioned in the first instance by yourself?—Yes; and it is one of those cases which I particularly refer to, to prove the difficulty of my position.

2146. What was the principle which you had laid down with reference to the practice of reprisals?—I could not mention it word for word; it will be found in my suggestions to the governor.

2147. I find the 13th article of your suggestions framed as follows: With respect to the Caffres residing in Caffreland, it should be explained that plunderers will invariably be followed, and the chiefs will be expected to do as has been above required from those in the ceded territory, as otherwise they can only be dealt with as encouraging the depredations; and any kraals or chiefs clearly proved to carry on a regular system of plunder against the colony must be considered as enemies, and treated accordingly, inasmuch that a commando shall be sent against them, their cattle taken in order to indemnify the sufferers in the colony, and every resistance punished with severity. I understand from that that you condemned reprisals in general, but that you thought there were particular cases in which they might be justified?—I condemned reprisals under any circumstances of Caffre

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cattle, except where, upon the authority of government, a regular commando was sent out, under proper responsible commanders, exactly in the very spirit of those words which have just been read. There was no complaint ever made against that commando as having acted upon that principle.

2148. Do you conceive that the government evinced a disposition to go beyond that principle, and to sanction reprisals of cattle generally, without precautions or guarantees?—It was continued long after this commando, and that is what I objected to; those suggestions clearly lay down that no man losing cattle, or pretending to have lost them, shall, under any circumstances, be indemnified by Caffre cattle by means of patrols, and that was continued; and that I consider the great cause of all the misfortunes principally, the deviation from what was communicated to the Caffres by the governor upon those suggestions, and what they considered as a sort of binding treaty on the government, which we violated.

2149. There is still then in operation, under those restrictions, reprisals in certain cases by commando?—If the Caffres continue a systematic plundering, a commando must go in some way or other to check them. They cannot be allowed to murder and plunder with impunity. These commandos therefore must go, as they went then, properly sanctioned by the government, that is, according to an understanding with the chiefs, under superior command. But that is as different as possible from any man pretending to have lost cattle going in and taking Caffre cattle. The one is necessary and legitimate protection, granted by government to the people under its protection; the other is making every man judge and avenger in his own cause; and the latter was continued long after the understanding between the governor and the Caffres, which I considered as binding, for that was our species of treaty with Caffreland. We brought the chiefs together and dictated certain rules to them, which they acquiesced in. Thus those suggestions became binding on us, and we violated them, and in consequence of that going on I saw no possibility of preventing the evils which appeared likely to follow.

2150. Were those irruptions by the patrol sanctioned by the government?—They were done regularly; I received returns weekly of their going in and taking Caffre cattle.

2151. You made representations against that system?—I did in that very case.

2152. What answer did you receive to those representations; did Sir Lowry Cole approve of them, particularly with reference to the patrols?—He did.

2153. Did you suggest measures then for repressing the infringement of that rule?—There was an inquiry to take place. The governor said the people should be punished; that was what I wanted. I wanted that after the governor had entered into this final treaty it should be adhered to. When he went up the frontier it was considered the dawn of a new order of things. All the irregularities which had taken place there were attributed to a want of regular system, but at that time these suggestions were communicated to the Caffre chiefs as far as they were concerned. That was the way with all our treaties, and they were binding upon us, but we did not adhere to them. I would not have objected to that commando in 1830, under the circumstances represented by Colonel Somerset, but I never forgive myself for having sanctioned it after having heard what had taken place on that commando.

2154. At the time that commando took place, and before you were fully aware of what had been done, you approved of the commando, and you wrote I think to the government that those proceedings were the only ones likely to keep the Caffres in check?—Yes.

2155. You gave orders then, I conceive, for the conduct of that commando with reference to the taking of cattle?—My order is upon record.

2156. You have said, for example, in your letter of June 23d, addressed to the colonial secretary to government, "Mr. Erasmus reports that when he had collected the cattle of the said kraals, and was proceeding with them to Fort Wilshire, where the colonial cattle were to be selected;" to what arrangement do those terms "where the colonial cattle were to be selected" refer?—Erasmus said he had brought the cattle there in order to be selected by us; Erasmus had no orders from me to bring Caffre cattle.

2157. Do you conceive then it would have been practicable in such an expedition to distinguish colonial cattle from Caffre cattle?—We have always done so.

2158. But you have said in that same letter great quantities of Caffre cattle were necessarily brought with those recognised by the colonists as stolen, and sent out to Fort Wilshire, principally the property of Guika, but some claimed by Charlie?—He

—He drove them all before him. That was his report. He said "I went there, and I collected all the cattle, and brought them here for you to decide about the question, when this fight took place on the road."

2159. But you have not said that they were brought in consequence of the man's choosing to bring them, but that they were necessarily brought with those recognised by the colonists as stolen?—Well, I suppose if a man drives all the cattle he finds before him in a country, that necessarily must embrace everybody's cattle.

2160. But you do not mean it was necessary for him to drive all before him?—I only know that as long as I have been on the frontier it has often occurred that commandos have gone in, when it was understood by the Caffre chiefs that they should just ride through the country and take what was known to be colonial cattle and leave the Caffre cattle unmolested.

2161. Did you at that time, when they brought out the colonial cattle and the Caffre cattle together, disapprove of their not having taken the distinction?—I should have disapproved of it if this report had not been made, that these Caffres had attacked them, and there was a fight in consequence.

2162. Then it was in consequence of the reported violence of the Caffres, as stated to you, that you sanctioned their having brought off both kinds of cattle together?—Yes.

2163. In consequence of that, you did not think it right that the Caffre cattle should be returned?—No.

2164. Then, in short, it is in case, in the first instance of depredation, and then of violence, that you think reprisals might be made?—Strictly, according to my suggestions; it is the violation of those suggestions that I complained of.

2165. The *Chairman.*] The colonial cattle were seized in a Caffre country?—Yes.

2166. It was not unnatural then that the Caffres should resist, was it?—The Caffre chiefs before we went in came and had a conference with Colonel Somerset and myself, and agreed that the Caffres should remain quiet, and that we should select the colonial cattle.

2167. Mr. *Gladstone.*] Now the report made to you was, I understand, that the quarrel and the violence between the Caffres and the colonists had taken place at the kraal?—As they were driving the cattle on towards Fort Wilshire.

2168. Was it not reported to you that the Caffres resisted the taking of the cattle in the first instance?—Yes.

2169. Well then, according to that representation of Mr. Erasmus, the cattle had been taken, and both kinds of cattle taken together, although no resistance had been made by the Caffres to their being taken?—Yes.

2170. Then if it was represented to you at that period that both kinds of cattle had been taken from the kraal, and no representation was made to you of a violent resistance to their being taken, did you, under those circumstances, not express your disapprobation of their having been taken indiscriminately?—I do not understand the question.

2171. Mr. Erasmus did not report to you that the taking of the cattle was violently resisted by the Caffres?—If the government had at the time that my representations were made, in 1831, immediately entered into the investigation all these points would then have been explained, when I had the records at hand and the witnesses were on the spot.

2172. I wish to know whether the report Mr. Erasmus made to you was, that the Caffres had resisted the taking of the cattle from the kraal, or that they had attacked the colonists as they were proceeding on their way to Fort Wilshire?—They had resisted, and he had fired; the exact spot where the resistance took place I cannot tell you, because I was not there.

2173. Does it not appear from this passage in your letter that they had not resisted originally the taking of the cattle. Mr. Erasmus reports that when he had collected the cattle of the said kraals, and was proceeding with them to Fort Wilshire, where the colonial cattle were to be selected, he was furiously attacked by the Caffres; could he not collect all the cattle out of the bush and bring them to the spot where he was attacked?—I was not on the spot. It is not impossible that collecting and proceeding with the cattle may be one and the same thing.

2174. Does not the passage in your letter distinctly state that it was after the collection of the cattle, and when he was proceeding with them?—Yes, it does.

2175. Does not that distinguish the two things the one from the other?—The collecting and proceeding may go on exactly at the same time in an extensive

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bushy country; there is not the slightest doubt that if the examination had taken place at the time I would have had witnesses brought from the spot, who would have elucidated the whole matter, and that was my object; I wanted this man punished, and the Caffres shown that justice was the object.

2176. But does it not appear from this passage in your letter that the report of Mr. Erasmus did not refer to violence in the collection of the cattle, but to violence after the cattle had been collected, and when the colonists were in the course of driving them to Fort Wilshire?—I will grant you, with all my heart, that construction of it.

2177. Sir *George Grey.*] Was it so in point of fact?—I cannot tell; I was not on the spot. A man may be with one party collecting cattle in one clough, while the main body is moving with the other; there may be 5,000 cattle collected in one clough, while they may be bringing down cattle from another. This thing would have been all explained on the spot; and then the Caffres would have seen that the understanding with Sir Lowry Cole was to be binding on all parties, and perhaps there would not have been so much blood to answer for at this moment.

2178. Mr. *Gladstone.*] In page 35 there are Colonel Somerset's orders on the subject; let me refer you to Colonel Somerset's orders; page 35, "Captain Aitchison will take the command of the division now assembled at the new post. Captain Aitchison will receive from the chief (Charlie), who has offered to accompany the commando, guides to the kraals whose Caffres are supposed to have committed depredations on the colony. Charlie's Caffres are to conduct Captain Aitchison to the said kraals; Captain Aitchison will then secure the cattle of those kraals and drive them off in the direction of the old waggon drift on the Kushama, where he will join the central division under the commandant of the frontier. Captain Aitchison will inform the Caffres at the kraals where he seizes cattle that he had orders to take the cattle to the commandant, where all Caffre cattle will be restored to them, and only colonial cattle detained"?—The first part of this order I recollect. When the cattle were assembled at Fort Wilshire, Colonel Somerset said it would be an infamous shame if they got back the cattle after their conduct to Erasmus and his commando.

2179. And upon the report of Erasmus you sanctioned the disposal which was made?—I did, in conformity with the understanding with the Caffre chiefs, and according to those suggestions before you.

2180. You afterwards discovered that that which Erasmus had reported, with regard to the violence on the part of the Caffres, was in fact violence originating with the colonists?—With the colonists; but I must say that I never knew of that order, that Captain Aitchison was ordered to bring cattle.

2181. Are you quite certain you never knew of that order when you wrote this letter of June 23d, to which you have just referred?—That order I never knew of.

2182. When you discovered what was the truth of the facts with reference to the origin of the violence, you reported to our government?—I did.

2183. You then recommended his dismissal?—Yes.

2184. Was he dismissed in consequence?—I believe not; I never heard so, at least; he was not dismissed as long as I was there; besides, he would not be dismissed without a regular inquiry and proof.

2185. Did you recommend an inquiry?—You will find by the governor's letter in answer to me when I complained of the cases of Botmen, &c., that an inquiry was to take place, and those cases would of course all come before the same court of inquiry, whatever that court might be. It would be of course a military court, for the commandos and patrols had been military.

2186. But are you not aware of the fact whether Erasmus was dismissed or not?—I believe not, for I see in the papers that he is now a commandant.

2187. Did you ever receive any answer from the government to the recommendation which you made that he should be dismissed?—No; that is just the point.

2188. Mr. *Buxton.*] What was the situation that Erasmus held?—He was called field commandant.

2189. Is that an office of great trust and responsibility, as far as the treatment of the Caffres is concerned?—It was proved in this instance, because the man then had a strong force under his command, and of course his order to fire would spread destruction around.

2190. Then do I understand you aright that Erasmus reported that the Caffres had attacked him, and that he in self-defence was obliged to fire?—Yes.

2191. Was it the real fact of the case, that when the Caffres were making no resistance, when they had laid their arms aside, and when they were peaceably going to the place where their cattle were assembled, that then he wilfully fired upon them, and that he was, in point of fact, the cause of that bloodshed?—Yes; by the investigation which was entered into it was perfectly proved to my satisfaction that that was the exact nature of the case, except as to Erasmus firing in person or ordering it; and before that inquiry which was to take place into the case of Schessers, which I had reason to expect from one of the governor's letters I was satisfied all these things would be proved.

2192. And do I also understand you aright, that when you had represented to the governor that Erasmus had made this most inaccurate statement, and that he was in point of fact himself guilty of the blood that was shed, that no punishment followed upon Erasmus; that he continued in the office of commandant during the two years and a half that you remained in the colony; and that you still see his name as commandant?—Yes; and this case was such a glaring one, that though Erasmus had up to that period been one of those who stood well with me, I was determined to make the most of it, to show the Caffres that the understanding between Sir Lowry Cole and the Caffre chief was not to be a dead letter; and when I found no steps taken in consequence, I of course thought it was no use trying, at least through my medium, to bring things to that state, as I hope, through a strict adhesion to those suggestions, might be done.

2193. Did you understand that the Caffres were promised that when the cattle should be assembled together, and a selection made of the colonial cattle from the native cattle, that then a promise was given that the cattle belonging to the natives should be restored to them?—Yes, provided they remained quiet and did not commit any violence upon the commando; otherwise they were told that according to those suggestions the cattle would serve to indemnify losses.

2194. Do you know what was the amount of cattle taken on that occasion?—I cannot recollect. The official returns in Graham's Town will show it.

2195. Do you believe that the number was about 1,100?—I think so, fully.

2196. And did you ever hear that any one of those cattle was restored to the natives?—No, I believe not, except on the spot; the Caffre chief, I believe, made a selection of his own.

2197. And did you hear that these people, unarmed and inoffensive, made a request that their milk cows might be restored to them, because they were their means of subsistence?—Yes; but this happened at their kraals.

2198. Mr. *Gladstone.*] When did you hear that?—In my letter in 1831 you will see.

2199. Mr. *Buxton.*] Did you infer from the fact that Erasmus being a man of reputed good character, holding an official situation of great responsibility, had thus committed a violent attack upon the Caffres, that it was very dangerous indeed to trust such arbitrary power in the hands of persons who might have subordinate interests to influence them?—For the very reason, because that power must lodge somewhere, and because of the difficulty of getting proper characters, I thought that that was a proper opportunity for making an example.

2200. But I want to know whether this case did not lead you to the conclusion, perhaps more than almost any other, that the system upon which we were with regard to these commandos was one extremely liable to abuse?—Yes, because those men must be employed; there must be somewhere a power to repel depredations; and unless you watch those men closely, you license a system of extermination. Whenever, therefore, such a glaring instance can be got, I think an example ought to be made, to satisfy the minds of the Caffres, and to control, as it were, in some measure those whom you must employ.

2201. Mr. *Gladstone.*] You have expressed your opinion in a letter of June 23d to Colonel Somerset, which contains an official report of the transaction, that it has been ascertained these Caffres had been principally concerned with other troops in the depredations on the colony?—That was information which Colonel Somerset received at the Kat river before we started. I have his own words for it.

2202. Did you ever see cause to alter your opinion upon the subject of their participation in those depredations?—I am very sceptical on the subject after what occurred. I believe that Colonel Somerset was intentionally deceived.

2203. Mr. *Buxton.*] Was Erasmus one of the persons on whom the governor

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would be likely to rely in giving information as to the conduct of the Caffres?—Yes; up to that period I relied upon him, as a man of the class he belongs to, as rather a superior person.

2204. Then it might possibly have occurred that Erasmus was the originator of this expedition against the Caffres, by the information which he had conveyed to the governor, and that he acted in it, and conveyed erroneous information to the governor, and that consequently the original complaint of the Caffres and the subsequent representation of their violence might have been part of the same system, namely, a desire to make an inroad upon the Caffre property?—I cannot say that Erasmus was the source of that report; if you put it hypothetically, it is a thing that can happen.

2205. But I understand you, after witnessing the misconduct of an officer of the government upon this occasion, you would be liable to distrust any information that might come through that channel?—Undoubtedly. I know the thing constantly to take place; pretended losses; and that is the mischief.

2206. Mr. *Gladstone.*] At the same time, owing to this deceit of Erasmus, you were satisfied, at the time you wrote that official report to the governor, that the commando had been absolutely necessary, and that the proceeding had been absolutely necessary?—I acted on the report of Colonel Somerset and on the information I received on the spot; and I want to mention, as one instance of the total insufficiency of my situation, my receiving reports coming from Cape Town round to me on subjects of which I had no direct knowledge, and of which I was quite ignorant, and then being obliged to inquire on the spot and receive information from those very men who had sent the report.

2207. The governor had directed you to satisfy yourself on the occasion?—Yes, and I did so as well as possible.

2208. Did you conceive that he relied upon your report as a sufficient ground for warranting him to give his sanction to what had been done?—I supposed so.

2209. I understand you to state, in your memoir sent to the Colonial-office, that the basis of Colonel Somerset's suggestions was not to continue the patrolling and reprisal system, but that it should be considered indispensable to shoot the Caffres whenever a patrol, headed by an officer, distinctly carries the spoor of cattle into any kraal?—Those are his own words.

2210. Now what are the grounds that you have for ascribing to Colonel Somerset so horrible a deed?—His own letter; nothing else.

2211. Would you have the goodness to read any part of that letter which you conceive bears out the statement that you made as to Colonel Somerset's opinion?—Where is that?

2212. It is in page 111; there is the letter, and that is the paragraph: "Should those depredations continue (and the country is full of Caffres yet), it will be necessary that whenever a patrol, headed by an officer, distinctly carries the spoor of cattle into any kraal, that the Caffres should be fired upon." Well, I understand that the opinion which is stated, subject to the condition, namely, should those depredations continue ——?—If they continued for 10 years, that would not have given for 10 minutes the right to shoot a man merely upon the spoor.

2213. But do you conceive that stating the thing subject to that consideration, no matter whether you considered the condition to be sufficient or not, is the same thing as stating it without any condition at all?—Exactly the same. If the whole of the Caffreland from one end to the other consisted of a set of depredators, with the exception of 10 peaceable men, I would not sanction the shooting of these 10 merely because they were found upon the spoor of stolen cattle, which would have been authorized if I had sanctioned the suggestion.

2214. Do you happen to know whether the expression, "those depredations," has reference to any particular outrage that had been committed?—It was that which was occurring every day which he alluded to, I suppose.

2215. You are not aware there was any special reference?—No.

2216. Do you happen to have observed that in Colonel Somerset's letter to Colonel Wade, of the same date, he had reported a very cruel murder of a Hottentot herd?—Yes.

2217. Did it ever strike you that this recommendation that retaliation should take place by firing had reference to the murdering of that herd, and not to the mere stealing of cattle?—As I understand the things, they have nothing to do with one another; it speaks of traces of cattle into kraals, and then firing upon people in the kraals into which those traces have led. Moreover, whether the spoor be

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that of murderers or robbers, the act of shooting those found thereon is the same; and the Committee will understand, if that investigation had taken place on the spot, the explanation would have followed immediately.

2218. What investigation?—The investigation threatened in one of the colonial secretary's letters.

2219. Then it does appear to you still that Colonel Somerset recommended that, in retaliation for robbery alone, the Caffres should be shot when the spoor of cattle could be traced to any kraal?—Not retaliation for robbery, but shooting them where the trace leads to. The object was clearly understood; it was just then to create a panic to frighten the people into good manners; that was the impression on my mind, and I believe that was the impression of every one in the colony that ever heard of such a proposal. I conceive that a plan was proposed to be adopted, that when you have the proof that a spoor of cattle has been led into a kraal, to cause a sort of panic, in order to frighten the people into peace.

2220. Did the proposal of Colonel Somerset, as you understood it, constitute the reason for your leaving the colony?—No, it did not.

2221. Was it because you felt confident such a proposal could not be sanctioned by the government?—I did not say I left the colony in consequence of that proposal.

2222. Did you feel confident that such a proposal as you understood the proposal of Colonel Somerset to be would not be sanctioned by the government?—I had no idea what would take place; nothing followed in consequence; I received no answer to that; but I had no reason to suppose the government would sanction it; on the contrary, I would believe it impossible.

2223. Mr. *Buxton.*] Under the order conveyed in Colonel Somerset's letter of the 12th of August, supposing that there was a gang of depredators, and supposing that they took colonial cattle and carried them through a town in which no individual of it was at all implicated in that robbery, do you understand that it would have been in the power of a military patrol to have fired at once upon those people?—I think so.

2224. Sir *George Grey.*] Do you think a military officer would have been justified in putting such a construction upon that order in such an extreme case as that which has been put, of passing through a town?—I do not know what he might do. I only say I do not think many officers would do it; I know very few officers in the frontier likely to avail themselves of the authority if they had it.

2225. Mr. *Gladstone.*] You reported strongly to the government two cases of men of the names of Schessers and Gordon?—Yes.

2226. Who had made use of the system of reprisal to benefit themselves, far beyond the amount of cattle they professed to have lost?—Yes.

2227. Were you not desired to investigate the truth of the complaints that you had made?—No; I know what is alluded to, but I was not ordered.

2228. Allow me to refer you to Colonel Bell's letter of the 29th of July 1831, the last paragraph?—I know it by heart.

2229. "In regard to the case of Schessers and Gordon, particularly the former, if the representations you have made be substantiated in such a manner as to enable his Excellency to act upon them, he will most certainly deprive those persons of their promised grants of land"?—That is just what I say, that an inquiry was threatened; that inquiry would have been a military one, because the patrol was a military patrol, and before that committee of inquiry all the other cases would have been brought forward, if I had only seen an investigation or only heard of it.

2230. The patrol was a military patrol, was it?—Yes, I believe so, for I received the military return of the reprisal in Schessers's case.

2231. And in Gordon's case?—In Gordon's case there was a military officer at the time on the spot, when all my authority ceases.

2232. You did not consider then that this was intended as an intimation to you of the desire of the government that you should institute an inquiry?—I am perfectly certain it was not, for the government would have insisted on my substantiation, after I had written so strongly on the subject; I am perfectly certain it was not intended. The governor knew full well that I had no right to institute inquiries into military proceedings.

2233. Then you did not understand that letter as calling on you in any way to substantiate the statement?—No; it would have come before a military court of inquiry, for the patrol was military in the case of Schessers, and in the other case Mr. Wardin was on the spot and decided the question.

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2234. Then allow me to call your attention to the last sentence in your letter in reply to that letter of Colonel Bell's, which you will find in the same page, 109?—I recollect that also by heart.

2235. I find there the following expression: "But as to substantiating anything I have advanced respecting the cases of Schessers or Gordon, or anybody or thing else, I humbly beg leave to refer to the result of the crisis to which matters have been brought"?—Well, of course that is just what I meant; that I was prepared with evidence to substantiate them.

2236. Does not that expression prove you considered you were called upon?—Not to investigate but to substantiate. I could not institute an investigation; I could not give orders for a military inquiry.

2237. But you conceive you were called upon to substantiate?—I was prepared to substantiate.

2238. But the question is, whether you consider you were called upon and intended by the government to substantiate the statements you had made?—To be sure; the moment the government should institute any court to investigate those cases, I would be ready to bring forward the proof on which I had founded my report and my statements.

2239. Do you not think it was the intention of the secretary of the government that you should forward to the government the evidence that you had in your possession?—How do you mean? My report was founded upon my evidence; and if the government wanted further substantiation it should have procured that through a court, and that court would have been military.

2240. Does it follow as a matter of course that he must have looked only to a military court?—I suppose the proceedings of a military patrol would be investigated through a military court.

2241. Is it not, however, possible that the government may have expected from you a fuller statement of the grounds on which your opinion was founded than you had supplied to him in your previous letter?—No, I do not think so. If the government had expected anything more from me, they would have written to me, and they would have considered it a great neglect of duty my not bringing it forward.

2242. Did the government ever further call upon you to produce evidence in support of the statements?—Never. The objecting to this order of Colonel Somerset's ended the business. I was most anxious about it, because I thought that now was the time to bring about a new order of things, and to show that since the governor had been on the frontier we would act on what we had engaged ourselves to do.

2243. Mr. *Buxton.*] You were most anxious to furnish evidence and to have the investigation take place, but you never was called upon to act in the business?—I was most anxious to do it, and the government knew it.

2244. Mr. *Gladstone.*] Did you ever intimate that anxiety to the government in any other way than has been done in the letters now before the Committee?—In my letters I was most anxious, but I did not conceive it necessary to say anything more. I thought that I had written too strong as it was; I did not wish to persecute any man, or harass any man to extremities; I only wanted to do my duty, and to have the thing investigated.

2245. Now, would you say it was true that Sir Lowry Cole authorized commandos to pursue the stolen cattle, and to take from any Caffre's kraal cattle to an equal amount; did Sir Lowry Cole lay down such a general principle of proceeding?—I do not know; it was done.

2246. There were three commandos, I think, against the Caffres during the time you were commissioner-general?—Three commandos upon an extensive scale.

2247. Was the burgher force called out?—Small patrols and parties go constantly; that is what I object to. Whenever a boor comes and reports, "my cattle is lost," the patrol goes; and then they, just upon this man's information, without further investigation, without his being obliged to take an oath, or anything of the kind, rush into the country, and upon this trace cattle are taken. That was done in Schessers's case; and I took that and wanted to make that one of the points to make my stand upon in favour of those suggestions which I considered us bound by.

2248. Were those patrols exclusively military?—I cannot say; there were often burghers mixed up with them.

2249. Did

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2249. Did those burghers go out without the sanction of the civil commissioner or of the commissioner-general?—Decidedly without mine.

2250. Are you aware whether the patrols were generally sanctioned by the civil commissioner?—I cannot tell you. In one of my letters to the government it was a pointed complaint that these patrols were scattered over the country.

2251. But with respect to commandos, as contradistinguished from patrols, the number of commandos undertaken against Caffres while you were commissioner-general were three?—I recollect only three.

2252. Of which the first and second were sanctioned by you in the course of your official duty?—And on information I received.

2253. And the third was sanctioned by Sir Lowry Cole, on the supposition that you were absent from the spot where it was to be undertaken?—That was said, and I must take it for granted. I was on the frontier, mark me; where it was supposed I could be I do not know, but I was on the spot.

2254. Mr. *Buxton.*] Was there a time in which the commandant alone, without any other authority, might authorize expeditions to be sent unto Caffreland, and did it occur that those expeditions were sometimes commanded by non-commissioned officers?—I could not say. I have met parties with corporals at the head of them, but I cannot say positively that they were patrols; I would not wish to say a thing that I am not positive of.

2255. Mr. *Gladstone.*] In the memoir which has been already alluded to, at the end of it, in the last paragraph, you have said, writing in the year 1833, that the reprisal system has been in operation ever since 1817?—Yes.

2256. On reflection, would you not correct that expression or modify it at all?—No; I believe it was in 1817 that this system commenced.

2257. Was the understanding between Lord Charles Somerset and the Caffres of Kat River that there was to be a suspension of the reprisal system at any period during the administration of General Bourke?—Between 1817 and 1833, during the administration of General Bourke, I had no connexion with Graham's Town frontier, except the last half year.

2258. But I think, as the statement appears in your memoir, it is more general than perhaps you wished to make it; it is there alleged, without limitation of any kind, that the reprisal system has been in operation ever since 1817; now I wish to ask whether the reprisal system was not suspended under the administration of General Bourke?—It is possible; I do not recollect it.

2259. You are not aware of it, not having been in communication with the frontier during the greater part of that administration?—I have no direct remembrance of it now. It is possible.

2260. Did you never hear of any difference during the administration of General Bourke relative to the system of reprisals?—I should think that I did; I believe I have heard it; it must have been a very short period though, not so as to affect the general frontier policy. I was not directly connected with the Caffre frontier under General Bourke.

2261. Then though you think you have heard of some such suspension of the reprisal system, your recollection is not distinct as to any effect that followed from that suspension?—It certainly is not.

2262. You are not aware whether there was any diminution of depredation during that suspension?—I cannot say. It may be though.

2263. Mr. *Buxton.*] In your letter of December 31, 1833, you say "Our system of military coercion has now been tried for a length of years without having brought about one single beneficial result;" do you adhere to the opinion that no beneficial result whatever followed from that system of violence upon the Caffres?—I cannot say that there is one; for even taking Colonel Somerset's statement, the frontier is in as disturbed, or at least was then in as disturbed, a state as it ever was in the worst of times.

2264. The *Chairman.*] Are you of opinion that under any circumstances the eastern frontier of the colony can for many years to come be defended without the assistance of an armed force of some description?—Most certainly not; particularly if I can judge well from the papers of the state in which it is now.

2265. The Commissioners of Inquiry have stated that the establishment of a military force upon the eastern frontier had tended to check the irregularities that had formerly prevailed under the system of defence by commandos. Do you admit the correctness of that statement?—No, I do not think that either depredations or bloodshed is diminished.

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2266. How many instances of serious irregularity or cruelty towards the Caffres on the part of the troops have come to your knowledge within the last 10 or 15 years?—On the part of the troops! I cannot charge the troops; I never made a charge against the troops particularly; I spoke of the system generally, without referring to the troops. I cannot bring to my mind at this moment a single instance, except what perhaps may have reached me from hearsay. I will not charge the troops. If I had to choose between sending a detachment of Boors out under a field cornet and sending a detachment of soldiers out under commissioned officers, I should not have one moment's doubt upon the subject; I should choose the commissioned officers; I have not the slightest doubt of it.

2267. Have you ever known an instance either of cruelty or irregularity on the part of the military pass unnoticed, and if proved, remain unpunished?—I cannot tell you; I do not know; I do not recollect.

2268. When, within the last 10 years, has there been, to your knowledge and belief, 1,000 men stationed on the frontier?—I always believed the strength of the frontier to be bordering on 1,000, but I had no correct returns; I never had any communication of that nature.

2269. I mean 1,000 men of regular troops?—Yes, I always believed the frontier's strength to be about that; but I had no regular communication of that nature.

2270. Do you remember there ever being 800 stationed there during that period?—It appears to me that under Colonel Wilshire there must have been as many; but I have already said my military information with regard to the frontier is not so strong that I can speak at all to the strength of the forces.

2271. When was Colonel Wilshire sent on the frontier?—He was sent there in consequence of the command of 1819; 1819 and 1820 he was there I believe.

2272. Of the troops stationed on the frontier, is not the native corps of mounted Hottentots that which is most available for the purposes of the patrol on occasions of pursuit of stolen cattle?—Decidedly.

2273. What is the strength of that corps?—I cannot tell you that; I do not know. There are official returns.

2274. Sir *George Grey.*] Are there any mounted troops but the Hottentots on the frontier?—Not that I know of.

2275. The *Chairman.*] What was the extent of the eastern frontier before the recent hostilities?—By the eastern frontier, do you mean up to the Orange River or merely as far as we border on Caffreland.

2276. As far as the Caffre frontier?—That is in a direct line from Guika's Peak down to the sea. I should say, as a bird flies, about 60 miles; that is very vague indeed; but I should say 60 miles straight.

2277. You are doubtless also aware in the late war the Caffres had a considerable number, say several hundred stands, of fire-arms among them?—I saw that by the paper.

2278. Do you not consider that this circumstance will render the defence of the eastern frontier a matter of much greater difficulty than it has hitherto been?—Yes; and everything that has occurred of late will add considerably to the difficulty.

2279. Do you consider that the substitution of armed inhabitants, whether Europeans or aborigines, for a well-disciplined force, would lead to a beneficial result, and be productive of less cruelty or outrage on the frontier than has hitherto attended the employment of the latter?—No. I have found no disposition on the part of military officers generally, as I have said in my letter, to be at all cruel or revengeful; there is more interest on the part of the burgher officers to be unjust. The burgher commandant, for instance, may feel himself aggrieved; he may have had a loss; he may have lost a father or a relation through the conduct of the Caffres, and he may feel hostility; moreover, the want of general education and knowledge, I should think, would render him a more unfit person than an educated commissioned officer. I never found a disposition on the part of the officers to be bloody or revengeful.

2280. The *Chairman.*] Do you believe that if the military were now withdrawn and an armed peasantry substituted for the regular force, a desirable class of settlers would be induced to occupy the country adjoining the borders, or that those who are already settled within reach of the Caffres could be persuaded to remain?—Not if the military were withdrawn.

2281. When the British soldiers arrived in 1820, had not the Caffres been very recently

recently expelled and driven beyond the Keiskamma, and their complete exclusion from the district between that river and the Fish River been decided upon?—Yes.

2282. Was there not at that time a considerable military force in the ceded territory to protect the settlers?—Yes, at Fort Wilshire there was a strong military force.

2283. And was not the erection of military works also contemplated by Lord Charles Somerset for the same purpose?—Yes, and begun too on a most extensive scale. At Fort Wilshire considerable works have been built.

2284. Do you not believe that those British settlers fully understood that an adequate military force was to continue to be stationed along the frontier, and that the Caffres were to remain permanently excluded?—I do not know whether the settlers entered so much into the views and policy of the government as to know that; but that was the intention of government I know. Whether the settlers knew so much at that time of the views of the government as to make that a point of particular interest to themselves, I cannot tell.

2285. Surely when they were being located on the frontier it was natural they should inquire as to the means to be adopted for their protection?—They were new, and could not know whether a burgher force or a military force was necessary for their protection; this, however, is mere conjecture.

2286. Then was not the reduction of that military force to less than one half its original amount, thereby rendered totally inadequate for the purpose of protection, and the permission granted on different occasions to several of the Caffre chiefs and their troops to reside within the ceded territory, a positive breach of the engagement entered into with the British settlers by the Home Government?—I do not know that the settlers could know sufficient of the government's views to enter so fully into them as to take for granted the government would do so. The re-admission of the Caffres into any part of the ceded territory was decidedly against the original determination and understanding.

2287. Mr. *Bagshaw.*] Was it not notorious through the colonies that they felt themselves aggrieved in respect of the question which has been just asked?—I was not connected with the settlers in those days, but I have read of their having sent petitions home to the Secretary of State; but that is my only channel of communication.

2288. The *Chairman.*] Are you aware that Sir Lowry Cole recommended to the Home Government, a considerable time back, both the erection of permanent works on the western frontier line and the augmentation of the corps of mounted Hottentots, as indispensable for the protection of His Majesty's subjects?—I cannot tell you; I do not know that.

2289. Mr. *Buxton.*] You have stated that there was always difficulty in preserving the peace of the frontier?—Yes.

2290. And that that difficulty has been considerably increased by recent events?—Yes.

2291. Would you depend for the preservation of peace on that frontier more readily upon the same amount of force which we have hitherto had on the borders, with justice in the proceedings of government, and the cultivation of amicable relations of trade; or would you depend rather upon a great increase of our military establishment?—It depends entirely upon the state of feeling of both parties on the frontier at this present moment, which it is difficult for me to judge of merely from newspaper reports; but on the general principle, there is no doubt that justice, trade and commerce must ultimately be your principal means for the preservation of peace; for, as I have said, 5,000 military cannot protect that frontier effectually all around, from one sea to another.

2292. I am not asking as to the immediate effect; but looking to what will be the state of the colony, say five years hence, would you depend on justice and trade, with a small military force, or would you rather depend on a large military force, the old system of patrols continuing?—When once the thing is properly brought to a level, and all parties made to understand each other, undoubtedly the first proposal is the best, because a purely military system cannot do on that frontier; it is too extensive. Great Britain will never supply the Cape of Good Hope with as many troops as will be necessary for the protection of the whole of that frontier, if you act on a purely coercive system; but you must have coercion until the thing is properly settled.

2293. You despair of tranquillity if the old system is to continue; but do you

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despair of tranquillity if a new and a more beneficial and a more humane and a more just system is adopted with regard to the Caffres?—I never expect tranquillity if you act upon a system of injustice; and what I have principally said is, taking the cattle of the natives at the discretion of any man who fancies he has lost them, you never can have peace. Human nature cannot stand that; people must eat and must live; but, on the other hand, you must also not let these people have the idea that you are going to be perfectly passive under murder and slaughter.

2294. Your great reliance, then, would be upon cultivation of trade, and upon justice, in proceedings with the natives?—That is the plan I would act upon with mankind at large, not only with barbarians and savages. I would modify it according to circumstances; when I was upon an enemy's borders, I would of course see the necessity of coercing to a certain extent; but the main point which I would have in view would be trade, commerce, peace and civilization. The other alternative is extermination; for you can stop nowhere; you must go on; you may have a short respite when you have driven panic into the people, but you must come back to the same thing until you have shot the last man.

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*Veneris, 4° die Martii*, 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Sir George Grey. |
| Mr. William Gladstone. | Mr. Hindley. |
| Mr. Bagshaw. | Mr. Plumptre. |
| Sir Rufane Donkin. | Mr. Wilson. |
| Mr. Charles Lushington. | |

MR. FOWELL BUXTON, IN THE CHAIR.

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Captain *Andrew Stockenstrom*, called in; and further Examined.

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2295. Mr. *Gladstone.*] YOU are acquainted with the works upon the condition of the Cape by Messrs. Bruce, Kaye and Pringle?—Kaye and Pringle, but Bruce's are merely newspaper letters.

2296. Though they have not been collected, yet still they are material statements, are they not, affecting the character of the colonies, which are contained in them all?—Yes.

2297. Are you prepared to give an opinion as to the general fidelity of their representations?—There were statements in Mr. Bruce's letters which I know to be correct.

2298. Were there other statements which you knew to be incorrect?—I would require to refer to them again; I do not at this moment know. I could not point out a fact stated by Mr. Bruce. It must be recollected it is about three or four years ago since I saw them.

2299. But you have no impression remaining on your mind of serious misrepresentations in those productions?—I should like to see them before I gave an opinion upon that. I recollect one particular instance where Mr. Bruce was very incorrect: he charged Colonel Somerset particularly, and I believe with great severity, on the subject of Macomo's expulsion; and I recollect, in a letter which I exhibited to the Committee on Friday last, I wrote to Dr. Philip to say that there Mr. Bruce was particularly incorrect; for as far as the blame about Macomo's expulsion was concerned, I think myself as much to blame as anybody else. If it had not been for the circumstance of that letter falling into my hands, perhaps even that case I should not have been able at this moment to call to my recollection. Without examining those works again I can give no opinion, after having been so long unconnected with the affairs of the colony.

2300. The *Chairman.*] Did you consider that a decided improvement took place with regard to the Hottentots in consequence of the enactment of the 50th Ordinance of 1828, and the Orders in Council at the same period?—Yes, with reference

to that part which was dealt with, as I thought, in the spirit of that enactment. I allude particularly to those who were located on the Kat River.

2301. Have you reason to believe that with the other improvements that took place there was a diminution in the amount of crime?—I do not think that that question can be answered without reference to official documents, to which I never had access. Vagrancy certainly increased immediately after; and I should here refer the Committee particularly to the opinions given by all the judges, which I believe are upon record in the minutes of council, with reference to that enactment.

2302. Do you believe that those statements of the judges were generally favourable to the character of the Hottentot, and expressed that there had been a diminution of crime?—Not at the period to which I allude, but I have subsequently seen in newspapers (how far that is correct I do not know) that the judges occasionally on the bench have expressed their conviction that there is a diminution of crime; but those opinions to which I allude, and particularly that of Mr. Justice Menzies, if I recollect well, is particularly disadvantageous, or at least expresses a very strong opinion unfavourable to the Hottentot character.

2303. Then was it not natural to expect that when the Hottentots were in a moment, without any preparation and without any police regulations, released from bondage, that there should in the first instance occur a great variety of cases of vagrancy?—I believe, if I am not mistaken, that that is the exact opinion I expressed somewhere; I do not now recollect when; but that, I believe, is just what I said.

2304. But did you find that after some period had elapsed, and a provision was made for giving employment to the Hottentots at the Kat River, that their vagrancy, instead of continuing to increase, was actually upon the decrease?—I cannot say that. With reference to the Hottentots on the Kat River I can only speak, and there certainly the improvement was almost like magic.

2305. You have said that the improvement was magic?—On the Kat River.

2306. State what was the character and conduct of the Hottentots before that ordinance, and what was the character and conduct of the Hottentots at the Kat River after that ordinance was passed?—Generally speaking, the character of the Hottentots was bad; they had, as I thought, not sufficient stimulus; they generally were very improvident; and, owing to the state of the laws in the colony, I think that generally the conduct of the Hottentots may be considered very irregular up to that period.

2307. Do you consider, then, that they had the vices which belong to slaves?—Why, certainly; a cringing disposition, for instance. Everything almost that is degrading was found in a Hottentot that human nature is capable of, I think.

2308. Were they addicted to pilfering and stealing and drunkenness?—The pilfering principally was sheep-stealing, which was principally to gratify their immediate wants; but I do not think that a Hottentot ever had inducement enough to desire the possession of property, and consequently he seldom stole to enrich himself. I do not think a Hottentot would take much trouble to acquire more than to eat and drink, such was his apathy.

2309. Would it be a just description of the Hottentots before the passing of the ordinance that they were in fact slaves; that they were under the greatest debasement of mind as well as sustaining the greatest physical misery?—Not in fact slaves.

2310. They were not in law slaves, but were they subjected to slavery?—I think they were subject to all the same treatment as slaves, no doubt, except that they could not be sold, and they were not bound to their master except by contract.

2311. Were they in the most abject state of moral debasement?—I think so, a great proportion of them.

2312. Were they in the most abject state of physical misery?—A proportion of them that were remote from the eye of the magistrate were generally in that state, no doubt.

2313. Were they worse treated than the very slaves themselves?—In so far certainly, because a man valued his slave but did not value his Hottentot.

2314. Was that because he could not sell them?—Because he had no property in them.

2315. Now state what were the improvements which took place when they were subjected to the ordinary stimulus of industry at the Kat River?—To avoid repetition, I would refer the Committee to what is upon record in my sentiments

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about the Kat River. It would be perhaps the better way, because I marked those down with care. I am now speaking from memory.

2316. Mr. *Gladstone.*] In respect of the physical condition of the Hottentots, how were they generally supplied with food; plentifully or otherwise?—Why in those places where they were, in the sheep districts, there were plenty of sheep.

2317. Did they then get plenty of animal food?—I cannot say generally.

2318. How were they provided with clothing?—Very badly; hardly any.

2319. Had they as much as they wanted?—Decidedly not.

2320. How with lodging?—Very badly.

2321. This is a general statement with reference to the condition of the mass of the people?—When I speak of their debasement, I am speaking of those that were far removed from the eye of the magistrate. I qualify the fact particularly.

2322. Mr. *Bagshaw.*] The missionary statements of Genadendal and Groenekloof were (they have been collected by the Moravians I think) that their condition was much improved and altered for the better?—Decidedly; very much so.

2323. And that there was no complaint of the sort you have alluded to with regard to the want of food or the want of dress?—I am speaking of those removed from the eye of the magistrate, without reference to any missionary station whatever.

2324. Sir *George Grey.*] What proportion do you suppose the description you have given applies to?—To the greatest proportion, because the magistrates are but few in the country, and scattered wide.

2325. The *Chairman.*] Did you reside at Kat River for any considerable period after the Hottentots were located there?—No.

2326. But you were aware of all that was doing there, I presume?—Yes, up to 1831.

2327. Was the country land cultivated to a very great extent under the Hottentots?—To the astonishment of everybody who visited it, in proportion to the strength and the means of the Hottentots.

2328. Did they take measures to irrigate their land?—They cut canals through rocks, and for such distances, that it would have astonished any man that had seen the tools with which these men were working.

2329. Did they enter into contracts with government for the supply of provender for the troops?—When I was leaving the colony Mr. Petrie, the commissary-general, handed to me a paper to show these people were already contracting for and delivering great quantities of forage to the military posts.

2330. Can you conceive any contrast more decisive than that between the degraded and low and miserable condition of the Hottentots before the passing of the ordinance and the improved condition and industry and the moral advancement of these people settled at the Kat River?—It astonished me. I am supported in that by very good authority, whose opinions are on record.

2331. Mr. *Gladstone.*] At the same time, you do not happen to be aware of the fact whether crime has increased or decreased in that period?—Up to the period when my connexion with them ceased I recollect but two cases which had come at all under the cognizance of the magistrate or court of justice. I believe I stated that in my paper on the minutes, above quoted.

2332. Mr. *Bagshaw.*] Can you tell me the official return of the numbers of Hottentots that were located on the Kat River?—No, I cannot; that must be in the Colonial-office.

2333. It is stated in some evidence there were 5,000 located there; do you think there were as many as 5,000?—Not when I left them.

2334. How many of them do you recollect were Bastard Hottentots?—A very small proportion; that is to be understood what is called Bastards, because in fact the pure Hottentot race may be almost considered extinct in the colony now.

2335. And did these Bastards take their cattle with them to the Kat River location?—They took all they had; but they had of course very little.

2336. Have you visited the other stations where the Hottentots are located by the Moravians?—Yes; Enon, Genadendal, Groenekloof, and another place near Caledon, towards the coast; I forget its name.

2337. Was the same system adopted at Kat River as is adopted in the other locations?—No, a different one.

2338. Which, in your opinion, has been attended with the best effects?—I think decidedly that the system at the Kat River, which holds out to people the prospect of obtaining possession of the soil, which they have not in those institutions.

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2339. Mr. *Gladstone.*] What is the Committee to understand by the term Bastards?—What we properly call Bastards in the colony are those which are far advanced in the amalgamation or crossing with the European races.

2340. Now in the settlement at the Kat River, were the more prominent inhabitants that had the direction of the settlement principally Bastards or Hottentots?—I think those at the heads of parties were principally Bastards.

2341. Are you aware whether vagrancy prevails much at that settlement on the Kat River?—Not at that time, except there was a good deal of the Gonacco race beginning to migrate from Caffreland, and settling themselves among the Hottentots, as also some black refugees of the other tribes, who pass under the name of Mantatees.

2342. But there was not vagrancy among those belonging to the settlement?—Not to any extent then, but there was beginning to be, because I have even heard Hottentots, the most respectable in the location, suggest to me the propriety of a restraint upon vagrancy in those parts.

2343. You think that the complaints had reference to the Gonaccos?—To vagrancy generally.

2344. But what were the vagrants that gave occasion for the complaints; to what class did they belong?—Hottentots, Mantatees and Gonaccos.

2345. Would those Hottentots be persons belonging to the settlement?—They were people coming in before they were settled. The Committee will understand that I was then settling the country, and that people were rushing in to this Land of Promise, as it was called; they came in from all sides, and before they could all be settled there were irregularities, and complaints made, as I have said above.

2346. Do you happen to know whether a large number of the most respectable landholders in the Kat River petitioned the government for a vagrant law?—I believe that that happened since I left the colony. I know nothing of it except from some faint impression of some hearsay or newspaper report that reached me.

2347. The *Chairman.*] You know nothing then except by faint report as to the petitioning for or against a vagrant law?—On the part of the Hottentots in the Kat River, no; that must be since I left, if you refer to the date.

2348. Mr. *Gladstone.*] Do you recollect a proclamation, I believe it was of Sir Lowry Cole, when he assumed the government, speaking of a resumption of the system of commandos?—A proclamation?

2349. Do you recollect the publication of any document from the government, speaking of the resumption of a system which had been for a time disused, or instructions to the public officers to the same effect?—It is possible, but I do not recollect.

2350. You do not remember any instructions to public officers on the frontier, intimating a change of policy with reference to the system of commandos?—No, I do not recollect.

2351. The *Chairman.*] Did you not make a report to government relative to some supposed misconduct upon the part of Dr. Philip?—I reported upon some returns of Dr. Philip of missionary stations, at the request of government.

2352. Have you got that paper here?—No; but it was exhibited on the part of Mr. Gladstone, who asked me some questions on the subject, and I alluded to it in that paper which I read to the Committee last Friday, and which I strongly requested, and now again request, being entered upon the Minutes.

2353. Was the answer of Dr. Philip, his justification of himself also, brought before this Committee at the same time that the charge against him was?—I do not know what was brought before the Committee.

2354. Are you aware that Dr. Philip sent in a reply to that charge of improper conduct?—No; but I told Dr. Philip that I had written very severely on his report, and that I thought he should see my report.

2355. Mr. *Gladstone.*] Are you acquainted generally with the regulations of the missionary institutions?—No.

2356. Do you know anything of that regulation which relates to a right of property in the soil?—On the part of the missionaries?

2357. Yes.—No, I do not.

2358. Or on the part of any other parties?—I thought you might allude to the right of the Hottentots to the soil. I believe they have none but the right of the society to the soil; I do not know anything at all about the nature of their tenure.

2359. Are you acquainted with the proposal of the Commissioners of Inquiry

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for giving the Hottentots a right of property in the lands annexed to the missionary institutions?—Yes, there is some vague notion on my mind, but it is so long since the Commissioners made their report, and I have had nothing to do with those matters for a number of years.

2360. Did you approve of that proposal, do you recollect?—I cannot recollect whether I approved of it.

2361. Do you think the missionaries ought to have the power of expelling a man for breaking the regulations of the institutions, with forfeiture of his house?—That question I should think would hinge entirely upon the right of the missionaries themselves to the land; it would entirely depend on what the nature of their tenure was.

2362. Then I should ask you, do you think they ought to have such a tenure in the land as to enable them to eject a person for breaking the missionary regulations?—I should decidedly prefer that the Hottentots themselves should have the right to the land, unquestionably.

2363. Do you think they should have the power of inflicting civil punishment upon the persons attached to the institutions?—Decidedly not.

2364. Are you of opinion that Hottentots should continue to be made a separate people, and that permanent grants should be made in particular tracts of country to the people of colour, to the exclusion of other colonists?—If the Committee will allow me to refer to my own plan at the Kat River. The object was, as well of Government as myself, to bring about an immediate amalgamation, and not allow that exclusive colonization, but we soon found the thing impossible; because, for instance, an English or a Dutch settler would not take a grant with which a Hottentot would be perfectly satisfied; and therefore, wishing merely to have villages instead of extensive farms, we were obliged to have exclusive colonies of the kind.

2365. You would mix the European colonies with the aborigines if it were practicable?—Yes, if it were practicable, most certainly.

2366. Did Sir Lowry Cole, immediately after arriving in the colony, submit to your plan for granting to the Hottentots the disposable ground in the vicinity of the several towns and villages in the colony, including the farms lately appropriated to the civil magistrates of the districts?—Yes; and I believe that that was one of the special objects of my going up the frontier the first time after my appointment as commissioner-general.

2367. Did you approve of that plan?—I think I had some objection to that plan of having Hottentot villages near towns, and very generally, except under particular circumstances.

2368. Would not that have been more likely to have produced the amalgamation which you considered desirable?—No; it strikes me that these would also be exclusive villages, because the whites in the colony will not take those small grants which Hottentots are well contented with, and therefore the separate existence of classes seems almost a matter of course in the present state of things.

2369. The *Chairman.*] Are you aware that in any case the farmers have passed over the boundary line, and taken possession of the lands and springs of the natives for the purpose of obtaining pasture for their cattle?—Yes; and in this way the colony has spread to its present extent from the very first establishment of the colony.

2370. Are you aware of any cases in which this possession of the lands and springs of the natives was obtained by fair bargain and an equivalent paid for it?—In the earlier periods of the history of the colony it may have happened, but I do not know. In one particular instance there is an impression upon my mind that the farmers who had migrated from the Graaff Reinet district had paid for the use of the Bushmen country to some Griqua chief, but so many years have gone by, and to a man thrown entirely upon his memory, as I am at this moment, it is difficult to speak with precision; but such a thing may have occurred, and there is an impression upon my mind that it has; and in mentioning this to the government I think I disputed the right of the Griquas to let out the Bushmen country. There was a bargain of that kind in one instance I recollect.

2371. With a frontier merely of 800 or 1,000 miles in extent, and no military force available to the defence of any portion of it except on the Caffre side, has not the use of the commando force for the purpose of repelling attack or pursuing banditti been forced on the colonial government as a measure of necessity?—Yes; I have said so in all my communications.

2372. You

2372. You consider that the use of the commando force, under the circumstances in which the colony stood, was then necessary; but do you believe that if institutions similar to that at the Kat River were established, and if it were notorious to the natives that the design and intention of the British Government was to act towards them with a degree of moderation, unanimity and justice, that there then would be such danger to the frontier as has hitherto existed?—If from the earlier stages of the colony such a system had been adopted, I have no doubt that all these commandos might have been obviated; but when the colony had got to that extent which within perhaps 100 years of its history it had got, I do not think that on the remote frontiers, with the feelings then existing between the colonists and the native tribes, the people could have remained without occasionally resorting to these commandos for the purpose of recovering lost property and repelling marauders.

2373. May not the abuse of the commando system, where such has occurred, be mainly attributed to the command of a force, composed of those whose habitations have been destroyed, cattle driven away and families butchered, being entrusted on all occasions of sudden irruption or depredation to all inferior magistrates indiscriminately, viz. field cornets and provisional field cornets?—Yes, I think so, generally speaking, decidedly.

2374. What is the rank and condition of a provisional field cornet?—He is an inhabitant of the common class.

2375. Is it possible that a man not in a higher situation than that of a constable in this country might be a provisional field cornet?—Decidedly, any man. I have seen provisional field cornets of the most indifferent class in the colony.

2376. And to persons of the most indifferent class, and in circumstances the lowest, this extensive power of making inroads upon the native territory was, according to the old system, entrusted?—Very often; for the Committee must understand that even a field-cornet himself can appoint a provisional field cornet, who has the right of appointing another provisional field cornet in sudden emergencies.

2377. Is it not then desirable, with a view to avoid the almost necessary consequence of exposing the natives to the revenge of men exasperated by outrage, that these means of defence by commando should be had recourse to as seldom as possible, and that the application of it when absolutely necessary should be entrusted only to superior magistrates, selected for that special purpose?—Yes, decidedly, where the possibility exists; and if the Committee will allow me to add, that is one of the principal reasons for my suggesting that whenever cattle must be retaken, it should be done on the part of government, under the command of a proper trustworthy officer, and not by every patrol that goes into Caffreland.

2378. Would the establishment of a military post at the extremity of each of the two districts of Graaff Reinet, Worcester and Beaufort, of 40 men each, with active, intelligent and discreet officers render the commando system almost wholly unnecessary on the northern frontier?—No, it strikes me not; the frontier is too wide. They would be extremely useful to a certain extent, but it could not altogether put a stop to it.

2379. Almost wholly was the question?—That is too much latitude; I cannot say. They would be very useful, to be sure, as far as they went; very much so.

2380. Is it your opinion in substance that we must either adopt one of those systems, have an overwhelming military force, with all the expenses attendant upon it, or enter into amicable relations with the people, and treat them with justice?—Decidedly.

2381. Supposing that the system adopted towards the natives was one of the utmost justice and humanity, still do you not believe that it would be necessary to have some military force, in order to protect the colonists from the irruption of banditti?—In its present state, decidedly, I do not think you could do at all without military. Before I conclude, I wish to amplify an answer which I gave some time ago. The Committee put to me a question about the appointment of the chief Cock on the Orange River. Being entirely thrown upon the resources of my memory, without reference to any documents, I wish to observe that I have a faint recollection that the colonial government, either General Bourke or Sir Lowry Cole, sanctioned the appointment of the chief Cock, and gave him some token on the part of government; it is immaterial; at the same time, I think, since the thing has come across my mind since giving the evidence which I have

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alluded to, I wish to observe that there is something of the kind upon record somewhere.

2382. The *Chairman.*] By whom was he originally appointed?—I think by the Griquas; I think so; and I believe the colonial government sanctioned it.

2383. Have you had much intercourse with Macomo?—Not much; but I have had some intercourse with him from time to time.

2384. Can he speak English?—A few words; very few words.

2385. From your general knowledge of his conduct and character, do you think that he is a man upon whose evidence this Committee might place reliance?—No; he is too much interested in the business. I would not for myself implicitly rely upon what he said in this affair.

2386. In your dealings with him did you find him generally a man upon whose engagements you had reason to rely?—No, I should say not.

2387. Do you think that this country might have entered into a treaty with Macomo, with the probability that the articles of that treaty would have been carried into effect?—Yes, provided he saw that the government had the power of enforcing the treaty.

2388. Sir *Rufane Donkin.*] Do you think that if treaties founded on justice and fair dealing, of which we have been speaking, on our part towards the Caffres were entered into, that the Caffre chiefs could prevent their people from breaking these treaties, or could or would punish them for their infraction?—To a very great extent, provided the nation saw, as I have just said, that we had the means of enforcing the treaties.

2389. Then, as I understand you, you would always treat with the Caffre chiefs, and with the Caffre people, with arms and the means of coercion in your hand?—The means of enforcing your own rights, which you would acquire by your treaties. This is often equally applicable to civilized nations.

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*Veneris, 11° die Martii, 1836.*

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Pease. |
| Sir Rufane Donkin. | Mr. Wilson. |
| Mr. William Gladstone. | Mr. Baines. |
| Mr. Andrew Johnstone. | Mr. Charles Lushington. |
| Sir George Grey. | |

MR. FOWELL BUXTON, IN THE CHAIR.

Captain *A. Stockenstrom,* called in; and further Examined.

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2390. *Chairman.*] DO you consider that you had as much opportunity of knowing the conduct and character of Macomo as Captain Aitchison and those other persons who were at the military stations on the frontiers?—I had a great deal to do with Macomo, but not one-tenth part as much as Colonel Somerset, Captain Aitchison, or any of those officers on the frontier; still I have often seen him.

2391. Have you anything you wish to add to the evidence you have already given to the Committee?—No; but the Committee having found a paper which I read on a former occasion too lengthy, I have substituted one about one-sixth of the length of what is said there, and I would just submit that to the Committee, if they think proper to admit it.

2392. State the contents of it.—With due deference to the decision of the Committee, I have attempted to condense or rather curtail my comments submitted on Friday, the 26th ultimo, upon the documents exhibited on the previous Friday on the part, as I conceive, of the late Governor and present government secretary of the Cape of Good Hope; but finding it difficult to expunge any passage without weakening my arguments, and not wishing to take up more of the time of the Committee than the public cause requires, I beg merely briefly to observe, if the said documents be intended in the slightest degree to militate against any statement which I have made as appearing upon the Minutes of this Committee, that it

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is by these self-same documents principally that I would pledge myself to prove my said statements. I repeat, that it is impossible to entertain a higher respect for the characters of the said officers than I do; but I owe it to myself most firmly to persist in my view of those points in which I have had the misfortune to differ with them, and hope from the justice of the Committee that whenever any doubt shall exist, that I shall have an opportunity given me to prove my allegations to the letter. The Committee is aware that I neither courted nor shrunk from the position in which I was here placed; that I was intercepted on my way from Sweden to the Cape (whither I was proceeding to dispose of my property, with a view of settling in Europe) and brought here as a witness; that I then at once appealed to public documents, every word of which was written under the impression that they would immediately reach the eye of the late governor, and here every word was spoken as if pronounced in his hearing; and though I have been almost exclusively dependent on a memory much unhinged with respect to Cape affairs by several years' suspension of all connexion with them, I hold myself strictly responsible for every syllable of my evidence. With reference to my report on certain returns of missionary stations made by Dr. Philip, on which also some questions have been put to me, I can only state, without being able to judge of the object of those questions, that the said report, if compared with everything which has come from me before this Committee—with my views entertained 12 or 15 years ago, as they appear in the first part of the papers printed by order of The House, and with all my other official acts—will prove that I never was either the champion or the instrument of any party; that when I found occasion to differ with the missionaries, I gave my sentiments without fearing for one moment the influence which these men were supposed to possess; and where I found their labours directed to the promotion of the public welfare, I have given them my most cordial support, without consulting the prejudices of their antagonists. I believe I can with perfect consistency combat the errors of a man, without making him an object of persecution or thwarting him when I see him try to do good. It has always been and ever will be the most agreeable part of my duty to espouse the cause of the mass of my countrymen, and those individuals amongst them who may be falsely accused. The Colonial Office contains ample proofs of my zeal on that head; but to justify, deny or connive at crimes which some of them may commit I considered inconsistent both with my public and private duty, as the judicial records at the Cape can testify. So likewise the protection and civilization of the native tribes are among my most anxious wishes; but I see no philanthropy in encouraging their murders and plunder by impunity. Consistent with these views, I have tried to do my duty to all parties, without courting any, and I am consequently not under the influence of any man or set of men. If this be inconsistency, I am fully open to that charge; and I trust that it will be seen that, if any part of my statement appears extraneous, it has been extorted from me in defence of myself.

2393. You were asked whether we must not adopt one of two systems, namely, to have an overwhelming military force, with all the expenses attendant upon it, or to enter into amicable relations with the natives, and treat them with justice; and you answered, decidedly, that we must adopt one or other of those two courses; which system, that of controlling the natives by an overwhelming military force, or that of justice and humanity, would, in your estimation, be the cheapest?—Decidedly, I think, the latter; because, I think, there is no end to the other, until you have shot the last man.

2394. Which, do you think, would be the most likely to extend the influence of Great Britain among the native tribes?—Most decidedly, I should think, trade and commerce; for trade and commerce is considered the greatest power that Great Britain has been able to exercise in the civilized world, and it would have the same effect over barbarians.

2395. Do you think that a system of humanity and justice would tend to the extension of our trade and commerce with the natives?—Decidedly; because war is the greatest barrier you have to trade and commerce.

2396. Do you think that we should confer greater benefit, in the shape of civilization and instruction in Christianity, by pursuing that course of humanity and justice, or by pursuing a course of controlling the natives by an overwhelming military establishment?—That appears to me to be a truism; it is self-evident.

2397. Do you mean it is self-evident we should confer greater benefit on the natives by humanity and justice, than by any course of violence?—Certainly.

Captain *George de la Poer Beresford,* called in ; and Examined.

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2398. *Chairman.*] YOU were Aid-de-camp to Sir Benjamin D'Urban, during the Caffre war?—I was.

2399. When did you arrive there?—January 1834.

2400. Did you act as his aid-de-camp from that time until you left the colony?—I did.

2401. When did you leave the colony?—First July 1835.

2402. When you arrived, the Caffre war had broken out?—No, it had not.

2403. Were you, in the capacity of aid-de-camp to General D'Urban, acquainted with the alleged causes of the war with the Caffres?—I have heard various causes assigned for the war ; but having been so short a time in the colony, and not having been on the frontier, I have no personal knowledge of those causes whatever.

2404. Did you happen to hear that a military patrol, under the command of Lieutenant Sparkes, was the immediate cause of the irruption with the Caffres?—I have heard that mentioned, not as the immediate cause, but as taking place immediately before the war broke out.

2405. Are you acquainted with Lieutenant Sutton?—I am.

2406. And are you also acquainted with Lieutenant Sparkes?—I have seen him.

2407. Do you happen to know what is the age of Lieutenant Sutton?—I think, about 24 or 25 ; Lieutenant Sparkes was much younger.

2408. How old do you conceive him to be?—I cannot form any correct idea ; but, from the time he has been in the army, I should think about 20 or 21.

2409. When did the war break out?—I heard of it at Cape Town on the 30th or 31st of December ; but I believe it broke out on the 24th December 1834.

2410. The Committee would now wish you to give a narrative of the circumstances attendant upon the war, so far as they came within your knowledge?—I should be happy to do so, but I could not give a detailed account without reference to memoranda which I have not with me at present.

2411. When did you leave Cape Town?—I left Cape Town on the 7th January, I think.

2412. At what time did you arrive upon the frontier?—We landed at Port Elizabeth on the 14th.

2413. When you arrived in the neighbourhood of the Caffre country, did you observe that much devastation had been committed?—Immediately on crossing the Sunday River, we then entered the country which had been laid waste by the Caffres ; they had not gone further than the Sunday River to the west.

2414. Had there been a great destruction of the property of colonists?—Very great, and the nearer we got to Graham's Town, the greater it was.

2415. Have you been able to form any estimate of the extent of loss that was thus sustained?—No ; when I left the colony commissioners had been appointed by the governor to inquire minutely into those losses ; I believe they have been since estimated at 288,628*l.* 4*s.* 9*d.*

2416. Do you happen to know what was the loss of life upon the part of the colonists?—No, I do not.

2417. Do you consider that it was very great?—It was considerable, particularly in isolated spots ; but on the first alarm everybody had fled, either to Graham's Town, Port Elizabeth or Uitenhagen.

2418. When you say it was considerable, do you suppose 50 persons were put to death by the Caffres in cold blood?—I cannot answer that question, because I never saw a return of them ; but I should think at least 50 lives were lost.

2419. Sir *George Grey.*] What was the nature of the devastation you observed on crossing the Sunday River?—On crossing the Sunday River ; in fact, on the right bank of the Sunday River, before we crossed, the field cornet, who lives on that bank, had been attacked, but he had defended his house successfully against a small body of Caffres that had attacked him.

2420. I wish to know, whether, on crossing the Sunday River, the devastation which you observed, was that of crops or houses, or of both?—In that country there are not many crops, it is mostly grass ; the flocks had all been driven away, either by the owners for protection or by the Caffres for pillage ; the country was completely deserted.

2421. Did you observe the wreck of the habitations?—Not immediately on the road, until we got to the Bushman's River, where a farm-house, called Rottenback's

Drift,

Drift, had been destroyed. Colonel Somerset was bivouacked there with a cavalry force; we kept the main road to Graham's Town.

2422. Your object was not to ascertain the extent of the devastations?—No, our object was to reach the frontier; on arriving near Bushman's River, we found a great many waggons collected together where the farmers had all congregated for mutual protection, with their families.

2423. Did you then either see the bodies of any persons killed or wounded by the Caffres, or did you hear that in the attack made on the colony, a number of farmers had been wounded or killed?—I saw no bodies.

2424. Did you afterwards return through the same country, or through another route?—I returned through the same country six months afterwards.

2425. You had no opportunity of observing any other line of country than that which you passed through in your direct advance towards the eastern frontier?—No.

2426. The *Chairman.*] At what time did you first meet with anybody of the Caffres?—A few days after we entered into Caffreland with the troops; I was not personally present in driving them from the colony.

2427. Had any measures been taken for driving them out of the colony before the arrival of Sir Benjamin D'Urban and yourself?—Yes, under the orders of the governor; Colonel Smith had gone up to Graham's Town on the first alarm, and Colonel Somerset, acting on the Bushman River, had dislodged them from a very strong position which they had taken taken up, with considerable loss to them, and some little to himself.

2428. What was the time at which you personally came in sight of any considerable body of the Caffres?—Not until after we had crossed the Keiskamma, 31st March.

2429. Did any battle take place at that time with the Caffres?—Not on that day.

2430. About that time?—Yes, a few days afterwards, 3d April, the whole of the troops made their concentrated movement on the Amatola, a very large district of country; a great many Caffres in it; we could not bring them to anything like a general engagement.

2431. What number of troops, English and Colonial, had Sir Benjamin D'Urban with him at that time?—Altogether there were about 4,000 men entered the country; they entered Caffreland in the four divisions.

2432. Will you state the circumstances of that battle, which took place on the 3d April?—I could not call it a battle, it was a concentrated movement to scour a large district of country, the Caffres constantly retiring before you, and then appearing again in your rear: it is a very bushy country. It is impossible almost for that number of troops to scour it with any degree of certainty.

2433. Did you come to any general engagement with the Caffres at any time?—The most general was in the Buffalo Mountains.

2434. At what date was that?—The 7th and 9th April. A great body of the Caffres had retired from the Amatola to the Buffalo Mountains.

2435. But though you were not engaged in pitched battles, there were a variety of engagements and skirmishes with the natives?—Constantly; all those affairs were more a general skirmish than a pitched battle.

2436. Those attacks and skirmishes which occurred, I suppose, continued during the time you were on the frontier?—Continually; from the nature of their battle-ground, the natives never present themselves in any great body; they "line the bush," which is the expression in that country, and you are forced to oppose them in like manner.

2437. What amount of Caffres were killed during the whole time that you remember?—I should think it was impossible to state that correctly.

2438. Was it a very considerable number?—I should think from 900 to 1,200.

2439. How many of the 4,000 men which Sir Benjamin D'Urban had with him did he lose in the whole of this engagement?—That I cannot state; a good many were wounded, but very few died.

2440. Do you suppose there were 20 killed?—Yes, certainly more; I know one time when there were more than 20 killed, when a Mr. Baily and a patrol of Hottentots were all destroyed.

2441. Sir *George Grey.*]—That was since you left the colony?—Yes.

2442. *Chairman.*] I mean, during the time of these military operations upon the frontier, at which you were present or in the neighbourhood, what do you suppose

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pose was the number of persons killed in engagements?—I do not know; I could state it accurately, because I have the return, but I cannot at this moment state it.

2443. The case in which Baily and his patrol were destroyed was the case in which the patrol sent out was intercepted by the natives?—Yes, surrounded by the natives, and all killed.

2444. But with the main body of the army, that kept together, there were constant skirmishes with the natives?—Yes.

2445. Will you hereafter give us a statement of the exact number that were killed during the period you were there?—I can give you exactly the number of persons that were killed.

2446. Will you give us also a return of the number of wounded at the same time?—Yes, I can.

2447. Were the Caffres driven out of the colony during the time you were there?—A great body of them were; occasionally straggling parties were seen, but in very small numbers; they were entirely driven from the neighbourhood of Graham's Town; there were merely small parties seen in the woods on the bank of the Fish River and Keiskamma.

2448. Did you only drive the natives out of the country which they had recently entered into, or did you drive them out to a still farther distance?—In the first instance they were driven out of the colony; we afterwards entered their own country, and penetrated beyond the Kei, driving the great part of them before us.

2449. In driving the Caffres out of their own country, I presume the whole body of them; not only of men, but the women and children were also driven out?—The women and children, probably, some of them fled with the men; but whenever we came in contact with the women they were extremely well treated, and not driven out of the country.

2450. Will you state those circumstances of good treatment?—They were allowed to remain in the camp for two or three days, as long as we remained on the spot, and they were always fed well.

2451. Did the military march with more than provisions for a few days?—The provisions were constantly coming up from the rear.

2452. Were the natives deprived of the means of subsistence, and were their cattle and goats taken from them?—Of course; we took everything we could lay our hands on.

2453. Was their corn destroyed?—Generally gathered for ourselves.

2454. What was not necessary for your consumption, was that destroyed?—Generally it was, to prevent the Caffres from returning to gather it, and by such means leaving them subsistence to enable them to act upon our rear.

2455. There was a despatch from Colonel Smith, in which he stated that they had destroyed vast quantities of corn and cattle; can you give us an estimate at all of the amount of cattle seized and of corn destroyed?—I do not exactly at this moment know the number of cattle seized altogether; of course, in entering a country of that sort, one destroys the corn, in order to prevent the natives subsisting in your rear, or else they would act on all your communications and cut off all your small parties.

2456. Did you take many prisoners?—A good many sometimes.

2457. And what was the treatment given to those prisoners?—They were always well fed, and placed under a guard for a certain time, and, generally speaking, were sent away with messages to the chiefs to desist from their hostilities, and to retire from the country; except two or three prisoners of consequence, we detained no one. Those taken in the colony had been placed in security in Graham's Town, where they were well cared for.

2458. Sir *George Grey.*] To retire from what country?—From the country on the right bank of the Kei.

2459. Mr. *William Gladstone.*] When you say the army entered Caffreland, do you assume the Kei to be the boundary of the colony?—No, the Keiskamma.

2460. And on crossing the Keiskamma you entered Caffreland?—I considered the Keiskamma to be the boundary of the part from which I entered Caffreland.

2461. Sir *George Grey.*] You entered the land which had recently been occupied by the Caffres?—Yes.

2462. What number of Caffres do you suppose you saw collected together in one force at any given time?—I could not form any judgment of that, because a great body of the Caffres generally remained concealed in the bushes; you may see

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see them collected together, 200 or 300, at the very tops of the mountains; they always retreat into the bushes, and remain fighting in the bushes; they never come out on the plain, unless to overwhelm a very small party.

2463. Are you able to form any estimate of the number that entered the colony?—No, I was not there at the time; but they covered the whole line, from Winterberg to the sea.

2464. Do you suppose them to be very numerous?—Extremely numerous; I have heard as many as 100,000.

2465. It is not possible to make a correct estimate?—No, because they were entering at every point; perhaps 50,000.

2466. How were they armed, those that were opposed to you?—They had a good many muskets, and a good deal of ammunition amongst them; a great body of them were armed with native weapons.

2467. You spoke of many of our men having been wounded; what was the nature of the wounds, gun-shot wounds, or any other sort of weapons?—They were principally assagai wounds, which is the native weapon.

2468. *Chairman.*] It is stated, under the head of official intelligence, "Head-quarters, Graham's Town, February 16th, 1835, that the aggregate loss in killed and wounded of the Caffres has been very great; ours has amounted, in the whole of this operation, to 12 killed and 11 wounded"?—That was on the Fish River; I was not present; I was with the governor.

2469. Then the considerable loss of Caffres to which you allude was not that in which Colonel Smith was engaged? I allude to the considerable loss of the Caffres; I allude to it as the aggregate of the whole military operations, from the beginning of January to the end [redacted].

2470. This document goes on to state, that the cattle which have fallen into our hands since the 12th, and this is dated only the 16th, amounts to about 4,000 head, with large quantities of sheep and goats, and some horses; have you any reason at all to believe that that number is overstated?—No; I should think that that was correct.

2471. Then, in point of fact, there was a great destruction of Caffre life, and great destruction of Caffre property and cattle?—The greater part of that property had been before plundered from the colonists; many of them bore the colonial mark upon them.

2472. How do you happen to know a great proportion of them had been plundered from the colonists?—Merely from finding so many of the cattle marked with the colonial mark of the different farmers, and also the property being in a great measure recognised by different proprietors who were then assembled at Graham's Town.

2473. What proportion was marked?—That I cannot say, exactly.

2474. I do not mean exactly how many, but what proportion do you suppose?—I do not know; but farther, there is a great difference between the Caffre cattle and colonial cattle in their kind altogether.

2475. Had there not been considerable trading going on between the colonists and the Caffres?—Yes.

2476. And was it not possible that these cattle might have been acquired in the course of barter?—No, quite impossible.

2477. Why so?—Because cattle was not a medium of barter on our side; iron, beads and woollens are generally what we give; hides, horns, ivory, &c. what we receive from the Caffres.

2478. Mr. *Pease.*] What is the kind of mark adopted by the colony to distinguish the cattle?—The name of the proprietor is put with a sort of brand.

2479. If it was a brand operation, that might have been done in the course of five minutes to several hundreds?—Those cattle were not taken from the Caffres by the proprietors, but by the troops.

2479*. The evidence of any Roman letters as a brand mark would be considered *primâ facie* evidence the cattle were the property of the colonists?—Yes.

2480. Sir *George Grey.*] What is the distinguishing mark between the Caffre cattle and the colonists' cattle?—The colonial cattle are long horned, and the other peculiarly short, I believe.

2481. Is it a very marked distinction?—It is so marked a one, that the boors, I have heard, often exclaim when cattle have been brought in, they are colonial cattle.

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2482. Mr. *Charles Lushington.*] Were the greater proportion of the Caffres armed with assagais or muskets?—The greater proportion with assagais.

2483. Is the assagai a formidable weapon?—A very effective weapon, about 40 or 50 yards; they throw it with excessive skill.

2484. It is quite ineffective, as compared with fire-arms?—Of course; but I would state, that in the bush, in which the Caffre generally fights, it is a very dangerous weapon, because he conceals himself in the wood probably until the person has passed him, and then he destroys him with the assagais from behind.

2485. Do each of them carry several?—Six or seven.

2486. Do they attempt to recover them after they have discharged them?—If they can.

2487. They are not valuable, are they?—Yes; they value them very much.

2488. When they fight among themselves, do they try to recover them?—I do not know.

2489. Are they made with great skill?—Yes, and well poised.

2490. Are they made with great mechanical skill?—Yes.

2491. Sir *George Grey.*] Can you inform the Committee how the Caffres procured the muskets with which they are armed?—No. We took a great deal of trouble to find that out, but could not trace it; they obtained them probably from the traders.

2492. Are they not usual articles of barter?—No.

2493. Is not the traffic in them prohibited?—The muskets are a prohibited article of traffic, and gunpowder al[redacted]

2494. Do you conceive that th[redacted]perly supplied with those muskets and powder by British subjects?—I [redacted]of that they were; but I should conceive it most probable that they receive those muskets from the English traders.

2495. You have a strong suspicion of the fact?—I have, because I am very well aware muskets and ammunition would fetch a larger price in Caffreland than any other sort of article.

2496. Probably the party to which you were attached took muskets from the Caffres?—A few.

2497. Of what description of muskets were they?—The regular sort of soldier's musket, evidently sent from Birmingham, not having belonged to any regiment, but that sort of arms.

2498. English manufacture?—Evidently made at Birmingham.

2499. *Chairman.*] There is a general order, signed "H. G. S., chief of the staff," and dated 29th March 1835, relative to the penetrating the country to the Undersene; were you present on that occasion?—No; I joined that division of the troops two days afterwards.

2500. Do you happen to know whether the loss of the Caffres was very considerable on that occasion?—I do not know exactly their loss.

2501. Did you see that which had been their settlement, and which is described in this document as having been entirely destroyed?—No, I did not.

2502. Do you believe that the loss of the Caffres was considerable?—In proportion to our own, of which I believe there were only two men wounded, I should think it was. I believe I am correct in saying there were only two men wounded; I am not sure.

2503. Are we to understand that the whole of their territory, of the Caffre country, was laid waste?—What do you mean by laid waste?

2504. The huts and crops destroyed, and cattle taken away?—The huts were destroyed always until we got to the Kei. I wish it to be understood, it is a Caffre custom, when they make war on each other, to destroy those kraals.

2505. In which detachment were you when the operations commenced, on the 1st April to the 12th?—I was with Sir B. D'Urban, but all the troops were acting in concert.

2506. In that period, from the 1st April to the 12th, were 15,000 head of cattle taken, and sent into the colony?—I should think so.

2507. And independent of that, did Colonel Somerset report he had killed the chie[redacted]o of the enemy, and taken 3,000 head of cattle?—He did.

25[redacted] Sir *George Grey.*] Do you know the amount of cattle that had been driven [redacted] of the colony by the Caffres?—It was supposed 100,000 head had been driven out, besides quantities of horses, sheep and goats.

2509. Mr. *William Gladstone.*] Were the sheep supposed to be driven out to a still

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a still greater number than the cattle?—No, I should think not; sheep are now becoming very general in these provinces, but it is only a few years since they have began to keep very large flocks.

2510. You mean the sheep of the colony were not so numerous as the cattle?—No; but I know very large flocks were saved; some of the Saxon sheep.

2511. Do you know the number of cattle taken by way of reprisal?—No.

2512. Was it much less than that taken by the Caffres?—Considerably less, because every head of cattle came through the commissary-general.

2513. Do you speak from the knowledge which you acquired upon the spot, and before you left the colony?—Yes; before I left the colony every head of cattle that was taken was handed over to the commissary-general, therefore there could be no mistake as to the number.

2514. From what you said, we are to understand the Caffre cattle are of a different kind?—Yes; a colonist has not the least difficulty to distinguish them.

2515–16. There is European mixture?—Yes; I suppose Dutch mostly; I do not understand cattle, but I know there is a marked distinction between the two.

2517. With reference to the number of Caffres which you say have been killed, from 900 to 1,200, were they all killed in this kind of running warfare?—All in this desultory warfare.

2518. None were taken and put to death judicially?—Several have been shot in our camp, when they have crawled in in the night, by the picquets.

2519. Those men on our side who were killed, were they killed by musket or by assagais?—Most of them by assagais, some by musket.

2520. Had you much opportunity of observing the character of Caffres in warfare?—To a certain extent; whenever we took any prisoner with whom we entered into anything like negotiation, in desiring them to carry messages to their chiefs, or to perform any other office of trust, we found they invariably deceived us without exception.

2521. Did they appear yielding when they were taken, or were they disposed to be obstinate?—No, they appeared yielding when taken, and several of them came into our camp evidently as spies, asserting that they were accredited by some of their chiefs for different purposes; but any message you desired them to take back again they invariably deceived you.

2522. Do you happen to know of any cases in which military or colonial stragglers fell into their hands?—Yes.

2523. How did they behave?—Invariably murdered them.

2524. With circumstances of cruelty?—I cannot exactly state the circumstances of each death, but in some cases their cruelty was excessive.

2525. They were not mangled in any particular manner?—Some of the bodies were a good deal mangled; two or three men that were killed in Caffreland were merely destroyed.

2526. Did any of them stand a volley of regular musketry?—Yes; in the Buffalo Mountains they stood for some time against a company of the 72d; a very strong little sort of amphitheatre of rocks, in which the captain was wounded and several of the men.

2527. Did the Caffres return the fire?—No; they were armed with assagais, which they threw over a sort of natural rampart.

2528. Did they stand the fire of the troops, or had they any means of evading it?—They were a good deal sheltered; when the troops afterwards gained the summit of the rock they found several had been killed and several wounded.

2529. Mr. *Charles Lushington.*] Were any of those Caffres who came into our camp as spies punished by us as such by military law?—No, not that I have seen; one man was shot by Mr. Warden, coming into his camp in the night, and several others were shot in that way; he was not shot by Mr. Warden's own hand, but by his detachment.

2530. You are not aware of any cases having occurred of a Caffre being punished on account of coming surreptitiously to procure information?—On the contrary, whenever they came into our camp they were always well treated, and presents made to them of a few beads, and desired to go back to their chiefs to advise them to desist.

2531. The commandant officer probably did not think it right to apply rigorously the rules of civilized warfare to these ignorant barbarians?—No, they were not treated with severity on such occasions.

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2532. Sir *George Grey.*] Did they carry off their wounded, or did they fall into the hands of the British troops?—They carried them off whenever they could.

2533. *Chairman.*] Did they in all instances destroy the Europeans or colonists that fell into their hands?—They did not destroy the women, but the men, I believe, invariably.

2534. Are you aware of the case of the Rev. W. Davis, a Wesleyan missionary of Clarkburg, who fell into their hands near Butterworts?—I know that Mr. Davis wrote earnestly for a detachment to bring him away where he had taken refuge.

2535. Was Davis in their hands?—I do not know. Clarkburg is not in the Caffre country, it is in the country of the Amapondas.

2536. Do you happen to know how they in general treated the missionaries that fell into their hands?—I do not know; but I know this, all the missionaries that were in Caffreland at the time of the breaking out of this business were in the greatest fear of their lives, and wrote most entreating letters to be removed from the vicinity of these people.

2537. It was very natural for them to be alarmed, surrounded as they were by hostile parties; but what I want to know is, when they were captured by the natives whether they were were well or ill treated?—I never heard of any being captured at all; but I know this, that all their houses were burnt down and destroyed, and every sort of indignity they could heap on the memory of them, after they had made their retreat, was thrown upon them.

2538. Mr. *Pease.*] Did many women and children fall from the nature of the promiscuous fighting?—I never heard of but one woman being fired at, but that was in a crowd of men, and the shot went through the caross; it was probable women might have been killed, because they all wear nearly the same dress.

2539. *Chairman.*] Do you know what situation Hintza filled?—Hintza was the chief of the country eastward of the Kei, and the prominent chief of Caffreland; they all considered him as their king.

2540. Then he was a person of much greater influence and authority than the other chiefs?—He was.

2541. Were you present when he came into the camp?—I was.

2542. Did he come in voluntarily?—He did.

2543. Did he come in under a safe-conduct, under a promise of security?—He did.

2544. Was he considered there as a prisoner?—Not at first.

2545. State, if you please, all the circumstances which took place from the day on which he came into the camp to the day of his death?—I was not present at his death at all; I was 70 or 80 miles off, but I can state what I know. We had been a fortnight in the country; having sent messengers to him several successive times, urging him to come in and treat with the governor, during which time no hostilities had been carried on against him; we sent several messages through people who stated themselves to be accredited councillors, and friends of Hintza. We received no answer; and at the end of 12 or 14 days we commenced hostilities. On the 29th of April Hintza came into the camp.

2546. Having accepted a safe-conduct?—Yes; and on that evening a treaty was read to him by the governor, stating the causes of dissatisfaction on the part of the British Government, and the terms upon which he would be admitted to peace, demanding two hostages, to be chosen from amongst his principal people by the governor, for the fulfilment of these conditions. Forty-eight hours were given him for consideration. He dined with Colonel Smith, and expressed himself very much delighted with the treatment he received. The next day Hintza agreed to the terms, and said, "There is no necessity for hostages; I have sent for my son, who will soon be here, and he and I will remain with you until the fulfilment of this treaty," or words to that effect.

2547. Were you present when he said this?—I was; he said it through the interpreter.

2548. Who was the interpreter?—Mr. Shepstone.

2549. The offer to remain originated with him?—Yes. In the treaty, which I believe you will find in the papers from the Colonial Office, you will see that he was not at all asked to remain, but the offer to remain came entirely from him. He remained with us for several days. His brother, Bookoo, having joined the troops on our march from the Somo, on which we had been encamped. On the 10th of May, on the banks of the Kei, a proclamation was made by the governor, that he would

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would take possession of the country between the old boundary line, running up the Keiskamma and Chumie Rivers to the Winterberg and the Kei, along its whole course, from the Stromberg to the sea. It was then explained to Hintza that he had failed to fulfil the first, third, and fourth articles of the treaty which he had agreed to. Hintza then asked the governor, through Colonel Smith, to allow him to proceed with Colonel Smith and a certain detachment of the troops into the heart of his country, in order that the presence of those troops might awe Hintza's subjects into delivering up the number of cattle which the governor had stipulated for, Hintza saying that his greatest wish was to fulfil this treaty, but that he had not power enough over his own subjects to do so. It was explained to him that he was personally answerable of course for the safety of those troops, to which he perfectly agreed, and expressed himself very strongly to Colonel Smith. He trusted the governor would agree to this his suggestion. The governor did agree to this suggestion of Hintza's, and Colonel Smith marched backed with Hintza into his country with these troops, and we re-crossed the Kei to its western bank.

2550. Mr. *William Gladstone.*] Did Hintza's territory extend to the westward of the Kei?—No. That is all I can state upon that subject personally; the rest, the manner of his death, I merely knew from a report that was brought in to us on the return of Colonel Smith's detachment.

2551. Mr. *Charles Lushington.*] What was the extent of the detachment that accompanied him?—About 400 or 500.

2552. Was there a corps of guides?—50 or 60 men.

2553. Of what description of men were they composed?—Several Caffre traders, who were well acquainted with the country, and a body of people called the Bathurst Volunteers, who had been incorporated in this corps of guides to strengthen it.

2554. *Chairman.*] You cannot, of your own personal knowledge, state anything relative to the death of Hintza?—No; I was not there.

2555. Have you any public documents in your possession relative to that circumstance?—No; I can merely state from my own recollection of the report that was brought in when Colonel Smith returned.

2556. By whom?—By Colonel Smith.

2557. Mr. *Charles Lushington.*] Have you had any direct communication with any individual who was present on that occasion?—Yes, several, who had belonged to the detachment.

2558. *Chairman.*] State what you have heard on that authority which you can rely upon?—I have written down exactly what I heard. On the third day after we had separated, on the Wednesday, going up a very steep ravine, Hintza was riding at the head of the troops, with Colonal Smith immediately in front of the the corps of guides; I have also understood that he had been repeatedly warned by the colonel that as he was personally responsible for the safety of the troops, he must make no attempt to escape. When he got to the top of this bank, he and Colonel Smith were considerably in advance, (40 or 50 yards,) and he then made a rush, and galloped off as hard as he could go; the colonel galloped after him, and upon reaching him, having snapped his pistol, he took hold of the muzzle and hit Hintza two or three times on the head in their career.

2559. Sir *George Grey.*] Was that with a view of stopping him?—Yes. I would wish to state, that what I state is exactly as I have heard the story. Finding that had no effect, he caught hold of him by the caross, and succeeded in pulling him off his horse; when he was on the ground, from the pace they were going, Colonel Smith's horse galloped on, he being unable to stop him; Hintza drew out one of his assagais, which he immediately discharged at Colonel Smith. The colonel, as he galloped on, cheered some of the corps of guides to the pursuit. Mr. Southy, of the corps of guides, who was the first and nearest to Hintza, when he saw him throw his assagai, fired at him, and with the first barrel grazed his leg, and with the second shot him through the body. Hintza ran down the ravine, wounded as he was, in which ravine Southy, having re-loaded his gun, shot him.

2560. *Chairman.*] Do you happen to know whether the two Hottentots, before Southy had reached the ravine, had summoned Hintza to surrender?—I never heard that; had it occurred, I must have heard it at the time, because of course it was matter of great conversation in the camp.

2561. Sir *George Grey.*] Do you know what distance Colonel Smith was from the

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spot when Hintza was eventually shot?—I believe he did not come in for some minutes afterwards.

2562. He was not on the spot?—No.

2563. Were any of the other troops besides?—I believe Mr. Balfour was nearest to him, an officer in the 72d.

2564. *Chairman.*] Was there any possibility of Hintza, being slightly wounded in the leg and shot through the body, escaping from the large corps of guides and the military that were in the neighbourhood?—I should say a very good chance; I have not seen the spot, but if it is like the generality of those streams, covered with bushes, if a Caffre once got into it, you never would find him.

2565. Mr. *Charles Lushington.*] Is there any reason to suppose that Hintza's tribe were in any force in the immediate neighbourhood?—There is; because on Colonel Smith's advance to the Bashee, he described the Caffres in the neighbouring hills to be in greater numbers than he had ever before seen them.

2566. Do you suppose, then, that putting Hintza to death, after he was so severely wounded, was essential to the safety of the British detachment?—Decidedly not; but heated in a general pursuit of that description, men have little time to consider what is most advisable; the possession of Hintza was certainly of paramount importance to the safety of the troops.

2567. Are you aware whether there was any officer of superior rank near at the time that Southy discharged the last barrel?—I do now know that there was; Mr. Balfour was the first person, I believe, that came up afterwards; the responsibility rests on no one.

2568. Then your impression is that there was no person in authority near enough to restrain Southy from this extreme act?—My impression is there was not.

2569. Colonel Smith was at a distance?—Colonel Smith did not come up for some minutes afterwards; as I before described, his horse had galloped on a quarter of a mile further.

2570. Do you happen to know whether Southy was thanked in the general orders for his conduct on this occasion?—I speak under correction, but I believe not; I feel great confidence that he was not, for I believe I wrote almost all the general orders myself; that was so near the time of my departure, that I feel certain he was not.

2571. Did you write the general order of the 10th June 1835?—I have seen it, but I did not write it; but Captain Southy of the corps of guides, mentioned in it, was not the man who shot Hintza; it was Captain Southy's youngest brother.

2572. Do you happen to know whether Southy, the man who shot Hintza, was thanked?—I do not think he was; I did not hear him thanked, and I never knew that he was, nor could he have been thanked without my knowledge.

2573. Mr. *Andrew Johnston.*] Was there any examination of this Southy that shot Hintza?—Colonel Smith reported the circumstance as Southy reported it to him; I believe there was no witness to the immediate death of Hintza, but the man who shot him.

2574. Sir *George Grey.*] Are you aware that any approbation was expressed by Sir B. D'Urban on the occasion of Hintza's death?—On the contrary, I know, both as a matter of feeling and of policy, he regretted it.

2575. And expressed that publicly?—I do know that he regretted it privately.

2576. Mr. *William Gladstone.*] He regretted it as a matter of policy?—He regretted that any circumstances should have occurred on the march to render such an ulterior measure necessary.

2577. Did he consider, in regretting it, that there had been blameworthy conduct on the part of Southy?—That I do not know.

2578. *Chairman.*] In a general order, dated 29th March 1835, I find this passage: "Colonel Smith especially notices the veteran Field Commandant Lindey, Field Commandant D——; their conduct on this as well as on former occasions in the present war has been conspicuously good." It also mentions Lieutenant Balfour, as acting aid-de-camp, for his conduct on this and previous occasions; and speaks highly of L. R—— and of Messrs. P——, Southy and Driver in the corps of guides. Is the person described as Southy in this the person who

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shot Hintza?—There were two Southys in the corps of guides, both people who behaved well in the war, besides the captain, two privates. I cannot say which of the brothers is meant in that general order, but I think it is not the man who shot Hintza, but the other brother; but both were particularly gallant fellows, capable of any sort of duty that was imposed upon them. That general order was issued in consequence of an expedition; I joined the troops the day after, therefore I do not know which it was.

2579. Sir *George Grey.*] Was that general order issued before Hintza's death?—Two months, at least.

2580. The approbation expressed in that could not have reference to Southy's conduct on Hintza's death?—No.

2581. What is the date of Hintza's death?—I think Wednesday, 13th May.

2582. *Chairman.*] Now, Hintza having come to the camp of his own good-will, and under the protection of the safe-conduct, having not been considered as a prisoner of war, by what right did the commander-in-chief consider himself entitled to detain him?—He had given himself up as a hostage for the fulfilment of his own treaty voluntarily, and refused to give any other hostage than himself.

2583. Was that treaty one of compulsion, or was it one into which he entered of his own good-will?—He entered into that treaty perfectly of his own good-will. I think I can read to you, as near as possible, what occurred on that treaty. On Hintza coming into the camp, and having been greeted on his arrival by the governor, through the interpreter, he said he was "ready to hear a word," which is an expression familiar amongst them; and he sat down, with one of his councillors behind him, and a long statement was read to him by the general, enumerating all the complaints of the colonial government against him, and the terms upon which he should be admitted to peace. The governor offered him 48 hours for consideration, and he was asked if he chose to go away again. He replied, "I prefer staying with you." Tents were then pitched for him and his suite, and provisions given them; he himself dined that day with Colonel Smith. He complained that he should have great difficulty in making his tribes come into those terms, but he was very anxious himself to fulfil them. This was at dinner. Next morning at daylight he expressed himself perfectly ready to come into the terms of the treaty, and peace was then declared with him. He was to produce two instalments of cattle, and five days were granted to him to produce the first instalment of his cattle. The governor desired to know the names of the principal councillors, in order to take two hostages. He said he would remain himself, and that he had sent for his son, who was coming in, and who would remain also.

2584. Mr. *William Gladstone.*] Did his son come afterwards?—He did that day.

2585. Did he go with his father in company with Colonel Smith?—No; he and Bookoo, Hintza's brother, remained with us, and re-crossed the Kei.

2586. What became of the son?—On Hintza's death Sir B. D'Urban sent the son back to his own country again to take charge of his people.

2587. *Chairman.*] How do you reconcile the fact that Hintza approved of the treaty when he was not a prisoner, but was at liberty to retire from the camp, and that a few days afterwards he should be so earnest to escape that he should endanger his own life, and leave his son in the hands of those whom he considered his enemies?—Because I conceive that Hintza's whole object was to play with us, and to get us out of the country; and I think that was so desirable an object to him that he would even risk his life to accomplish it; it requires local knowledge to conceive what the Caffre will risk to retain stolen cattle.

2588. Did he accomplish that object by his attempt to escape if he left his son and brother in the arms of the British?—I do not believe Hintza would have cared the least what would have become of his son and his brother, so long as he was personally free, and safe from an attack of the troops.

2589. If he was so indifferent then about the fate of so near a relative, and was only trying to deceive the British, why did he not place in their hands those persons for whom he cared so little, and provide for his own security, which was offered him?—Probably he thought by offering himself that he would throw us off our guard; of course it is impossible to divine anybody's intentions, but there is no doubt by the result he was playing us false the whole time.

2590. Do you believe that at the moment he went with Colonel Smith he considered himself to be a prisoner of war?—I do not know how far he might consider himself a prisoner of war, but this I do know, he made the offer of

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accompanying Colonel Smith. It was not the intention of the governor to take him across the Kei out of his own country.

2591. Was he considered at the time he went with Colonel Smith a prisoner of war?—Colonel Smith considered him personally responsible for the safety of the troops.

2592. But, was he considered a prisoner of war?—No; I should consider he was an hostage for the safety of those troops, not as a prisoner of war, strictly speaking. What I mean by that is this, that he was only a prisoner so long as this expedition was taking place at his own request; the moment that expedition was over, he was freed from his responsibility.

2593. Mr. *Charles Lushington.*] To the best of my recollection, it is not stated in your evidence what led to placing you in a state of hostility with him?—The fact of the great quantity of cattle that had been stolen from the colony having been known to enter Hintza's territory, and several of Hintza's people having also been known to enter the colony.

2594. Was any demand made on Hintza to assist in restoring the cattle to the colony?—Twice through the commandant; Van Wyk twice went up from the Clipplat River, where he was stationed, to the head of the Sorno, to treat with Hintza.

2595. What was the tenor of Hintza's reply to those representations?—The first time he gave no satisfactory answer to Van Wyk, but expressed a wish to see him again, and said he would see about it; and the second time he pleaded sickness, and absented himself altogether from the interview.

2596. In consequence of the delay of Hintza's acquiescence, you declared war?—We entered his country as I have before stated; when we got to the banks of the Kei, a couple of chiefs appeared on the opposite bank. The first question they asked was, "What river is this? why you cross it?" And we said, we had subjects of complaint against Hintza, to which he refused to give any answer, and therefore the troops would enter his country.

2597. Sir *George Grey.*] The condition of the treaty which Hintza was to fulfil, was the restoration of a certain number of cattle by instalments?—Yes.

2598. Was there any dispute between the British and Hintza as to the fact of colonial cattle being driven into Hintza's territory, and detained there?—Hintza said that he had retired himself from the middle of the country to the head of the Sorno, in order that he should not assist or oppose the tribes that were at war with us; he did not deny that a great quantity of our cattle had gone through his territory. The only thing that he denied was his personal possession of them. Of course the answer to that was, "You must be responsible for the acts of your own people;" but of the fact of there being a quantity of colonial cattle in his territory there can no doubt.

2599. The *Chairman.*] Then the offence was not that he had been a participator in the seizure of the colonial cattle, but that he had permitted other tribes to drive those cattle out of his dominions?—No; I say merely that was the statement Hintza made himself. That is not my statement. He denied himself having participated in the aggression; he himself was not in the colony, but still there is no doubt a good many of the chiefs were, and a good many of the people of his tribe, and that he had received some of the cattle.

2600. Mr. *Andrew Johnston.*] And for this the governor held him responsible?—Yes.

2601. The *Chairman.*] Now state what took place after Hintza's death?—When we heard of Hintza's death we were at Impotshana, about seven miles westward of the Kei, upon which we constructed a fort. We then marched to the Gonube, upon which another post of communication was placed, and we then went to the Buffalo, which was occupied in three or four places.

2602. During this operation did you destroy a considerable number of the Caffres?—No, not in our march back again.

2603. Did you destroy the huts you met with?—No, the huts were destroyed previously in our progress, so that in coming back there were none to destroy.

2604. What date are you speaking of?—About the 20th of May.

2605. In the general orders, headed the 7th June, I find this passage: "The whole of the country has been most thoroughly traversed; upwards of 1,200 huts have been burnt, immense stores of corn in every direction destroyed, 215 head of cattle of all sorts captured, several horses, and nearly 2,000 goats have fallen into our

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our hands." How do you reconcile that with what I understand to be your recent answer, namely, that the huts had not been destroyed?—I did not say they had not been destroyed; I said they had been destroyed in our progress, and in coming back there were none to destroy. I beg to state, moreover, on the 7th of June I was not there.

2606. But this general order relates only to the operations of three days, from the 3d to the 7th of June?—This did not take place on the direct line I have been speaking of; but I fancy it was towards the sea, between the mouth of the Buffalo and the mouth of the Kei.

2607. Then you were not with Colonel Smith at the time so much devastation amongst the corn and the property of the Caffres took place?—At that time the property was ours, because we had taken possession of the country.

2608. Then there might have been considerable destruction of property and corn in the other detachments, of which you were not at all aware?—I was generally aware of the destruction; because, as I stated before, in our advance we destroyed the kraals, and the corn which we did not use for ourselves.

2609. I understood you in a recent answer to say, that after the latter end of May there was no destruction?—I was merely speaking of our march back from the Kei to Buffalo; I saw no kraals destroyed. I concluded that by saying, I believe, they were pretty well cleared away in our advance.

2610. But then it appears that after that period there were, in Colonel Smith's own words, immense stores of corn in every direction destroyed, and 2,000 goats taken; so that we may conclude, I presume, that independent of anything that came under your personal observation, there was great destruction of native property?—Yes.

2611. Sir *George Grey.*] Does the general order referred to relate to operations upon the same ground which you spoke to when you said you saw no kraals destroyed?—No.

2612. Were you present at any of those proceedings referred to by Colonel Smith in that order?—None. I was then on my way to Graham's Town with the hostages, Bookoo and Vadana.

2613. The *Chairman.*] There were then in that country immense stores of corn before it was entered by the British?—There were large quantities of corn.

2614. I find in the Graham's Town Journal, dated 3d July 1835, that horticulture was advancing; cabbages, artichokes, leeks, &c. had been already planted, and that there were various small seeds in the ground; that there were magazines of Caffre corn and pumpkins; and that they had a very considerable quantity of goats; may I not infer from that they had made some advance in agriculture?—I do not conceive that that at all refers to the Caffres; I conceive that refers to the people in the posts that we had established on the Buffalo; in fact, I am sure it does.

2615. But, as immense stores of corn in every direction were destroyed, it must be inferred that they had carried agriculture to a considerable extent?—It is a particular sort of Caffre corn which they have cultivated; I suppose for ages they have cultivated their own sort of corn, or the Indian corn.

2616. But having a great quantity of corn, and a great quantity of cattle, could they be called irreclaimable barbarians; had they not made some advances in agriculture and civilization?—We have been trying to reclaim them for many years without success.

2617. Do you know what measures we have taken to reclaim them?—I do not know exactly; great trouble has been taken by missionaries, and different relations entered into, but I believe with very little success indeed.

2618. Sir *George Grey.*] Do you know anything of the circumstances of the death of a trader named Purcell?—We bivouacked at his house, and I heard the circumstances related by another trader.

2619. Where was it?—About four or five miles to the eastward of the Kei.

2620. What were the circumstances?—As I understood them, they were these: that a Caffre, or a Fingo, who is a Caffre slave, had come to his house on a Sunday morning to beg that he would barter with him for some hides, and the man refused to deal on the Sunday, but told him if he would come again the next day, he would talk to him on the subject; he said, "Oh, very well; I will leave my goods; come out and fetch them:" and when he opened his door and came out, he assagaied him on the spot.

2621. Is that all that you heard on the subject?—That is all that I heard.

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2622. What became of his property?—I have always understood his property was seized by one of Hintza's principal chiefs.

2623. Was it in Hintza's territory?—Yes, and close to the residence of Hintza's brother, Bookoo.

2624. Do you know whether any demand was made for the restitution of the property?—Yes; the missionaries at Bather made a strong representation about it.

2625. To whom?—To Hintza himself; and also the thing was reported to the colonial governor, and that was one of the subjects of complaint against Hintza in the paper that I told the Committee was read to Hintza by the governor, containing a list of grievances; the subject of Purcell was one.

2626. Mr. *William Gladstone.*] Do you know what answer was received from Hintza or the colonial governor by the missionaries, to the demand for restitution?—No, I do not; I know, whatever he answered, no restitution was made, and no satisfaction obtained at all.

2627. Did Hintza make any observation, when this was alleged as one of the grounds of complaint against him by the governor?—I am not sure, but I have a sort of indistinct recollection that he said a Fingo did it.

2628. The *Chairman.*] The death of Purcell was alleged as one of the causes why we made an inroad into Hintza's territory?—Not as the immediate cause; but when we were there, the governor considered it right to demand from Hintza the punishment of the murderer; and as Purcell had left a widow and children, that that was a proper opportunity to insist upon Hintza making fair restitution, or causing the person who committed the crime to make proper restitution to this man's wife and family.

2629. The governor thought the murder of a British subject in Hintza's territory was one of the justifications for the measures he was taking?—No, he did not think that certainly a sufficient reason to march a body of troops into Hintza's country.

2630. Was it one of the reasons alleged?—No; though justice was insisted on by the governor.

2631. Have you got a copy of that paper that was read to Hintza, stating the grievances?—No; I believe it is in the Colonial-office.

2632. If we had a right to complain against a Caffre chief, because one of his subjects or one of the slaves of his subjects had committed murder on a British subject, had not the Caffres also as good a right to complain of a British officer who had entered their territory, and put to death some of their people?—I should say so, decidedly, if it was done in equally cold blood.

2633. Do you happen to know the circumstances of Lieutenant Sparks and Lieutenant Sutton going into Hintza's country?—I before stated I heard of it, but was not personally acquainted with it.

2634. Did you hear that they made an inroad into the Caffre country, and that they wounded the chief's brother?—I did hear they had wounded a Caffre; but from the way I heard it, I conceived it was in the execution of the duty of patrol.

2635. Do you happen to know what led to that expedition?—No; I should judge some cattle or horses had been driven previously away by the Caffres.

2636. Sir *George Grey.*] How far had the party penetrated into Hintza's country at the time of his death?—That I cannot exactly answer; it was a two or three days' march, and on the third day's march he was killed.

2637. Mr. *Andrew Johnston.*] How far were the conditions of the treaty fulfilled at the death of Hintza?—Hintza having been killed, the governor thought it right to grant some indulgence to his son, in point of time, to fulfil this treaty, in order that he might be able to establish himself in his father's place as chief; but he promised to fulfil the treaty within a reasonable time.

2638. Was the treaty fulfilled in the long run?—I do not know; I left the colony a month after the period we are now speaking of.

2639. Was there a probability that if Hintza had escaped in the ravine he might have made a retreat among his own people, and successfully eluded the efforts of the governor to compel him to fulfil the treaty?—It was impossible to say what the result of his escape might have been; but as he had been a long time in our camp, surrounded as the troops were by immense numbers of Caffres, it is very likely that a successful surprise might have been practised upon them, because from his having been nearly a month in our camp, he was intimately acquainted with every

mode

mode of approaching it, and of the different guards or picquets we were in the habit of placing.

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2640. Where were you at the time this detachment entered into Hintza's country?—We parted on the banks of the Kei; the governor with part of the troops re-crossed the Kei to the westward, while Colonel Smith proceeded eastward.

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2641. Your opinion is, that he was a chief of that power, and the inhabitants of that country were so numerous, that he might have made a successful advance?—My opinion is, that the other chiefs would never have undertaken anything against the colony, without the co-operation and consent of Hintza.

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*Lunæ*, 14° *die Martii*, 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Hindley. |
| Mr. Pease. | Sir Rufane Donkin. |
| Mr. Andrew Johnston. | Mr. Plumptre. |
| Mr. Bagshaw. | Mr. Charles Lushington. |
| Mr. William Gladstone. | |

MR. FOWELL BUXTON, IN THE CHAIR.

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Captain *George de la Poer Beresford*, called in; and further Examined.

2642. *Chairman.*] YOU were requested at the last meeting to prepare some memoranda of any circumstances anterior to the breaking out of the war which had occurred to your knowledge?—I have prepared a memorandum, which contains a short sketch of the whole matter. It is, I believe, not unknown to the Committee that the relations between the colony and the Caffres have long been of a very unsettled nature. In 1834, Sir B. D'Urban received instructions from Mr. Stanley, (now Lord Stanley,) then Secretary of State for the Colonies, for regulating the intercourse, and for establishing a fixed state of amicable relations between the colonists and the natives inhabiting the country along the colonial border. Sir B. D'Urban at this time being unable to leave the seat of government at Cape Town, in consequence of the near approach of that period at which the Act for emancipating the slaves was to become the law of the colony, authorized Dr. Philip, the chief of the London Mission, who had peculiar facilities of communication with the native tribes, from his situation and connexion with the several missionaries resident amongst them, (who have been very generally a medium of correspondence with the chiefs) to explain to these tribes the very favourable order of relations which it was the intention of the governor to enter into with them, and which, from their own reports of their personal influence with the chiefs, he conceives could not come from a more welcome source. Dr. Philip, on his return from the frontier, whither he had proceeded for purposes connected with his official duties as principal missionary, expressed the satisfaction of the respective chiefs to the governor at these new arrangements. Thus the matter stood; the chiefs on their part, knowing that the ratification of these relations only awaited the presence of the governor on the frontier, and the governor on his being unable to leave Cape Town until the arrival of the Order in Council authorizing the manumission of the slaves, his personal presence being necessary for the purpose of framing the consequent local arrangements. On the 24th of December, without any previous expression of grievances or any declaration of war, and now under the security of the favourable intentions of the colonial government, the Caffre tribes broke into the colonial border, along its whole eastern extent, from the Winterberg to the sea, laying waste the country, burning the houses, murdering such male inhabitants as fell into their hands, carrying off the flocks and herds, and thus rendering the hitherto flourishing frontier provinces a desert waste; a measure which must have been long in preparation, as it is impossible that such combination could have been the offspring of sudden determination. The troops, a very inadequate force, (700) scattered along the frontier in small numbers, were forced to abandon several of the posts of observation, (Willshire, Hermann's Kraal, and Caffre Drift, &c.) which were untenable, and to retreat upon Beaufort or Graham's Town, for the purpose of concentration; and the inhabitants who were enabled to escape fled, with such

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parts of their property as they could, to Uitenhagen, Graham's Town, and Port Elizabeth. On the immediate arrival of the news at Cape Town, the 31st December, the governor despatched one wing of the 72d, and as much artillery as was available, (there only being one company at the Cape,) commissariat stores and ammunition, by sea to Algoa Bay, and the remaining wing of the 72d was sent forward over land. Colonel Smith, the deputy quartermaster-general, was despatched over land to Graham's Town, riding post, with orders on his route to the frontier to call out the burgher force, while the governor himself proceeded in the Trinculo to Algoa Bay, having first seen all these measures carried into effect under his own eye, and provided for the local emergencies of government. On our arrival at Algoa Bay we found every one in the greatest consternation, and much fear was entertained by the inhabitants that ere sufficient force could be raised to repress this irruption, the Caffres would carry their murderous devastation far into the colony. The governor at once formed his depôt of reserve at Port Elizabeth, made arrangements for raising Hottentot levies, and left Colonel Thomson, the commanding engineer, to carry his arrangements into effect. He then proceeded to Uitenhagen, hastened the preparations of the burgher force, already ordered out by Colonel Smith, made arrangements for the transport of commissariat and other supplies from Algoa Bay to Graham's Town, the stacks and other reserves of corn on the frontier having been destroyed by the Caffres; proceeded *en route* to Graham's Town. On reaching the Sunday River, we entered the scene of devastation: the house of the field-cornet, on the right bank, had been attacked; the son of the man keeping a small public-house on the left bank had been murdered close to his father's house. I saw his jacket, pierced with 14 wounds. Proceeding onwards, we found the country deserted; nothing but a few spring bucks in the plains, ten days before covered with flocks and herds; and on our arrival on the Bushman's River, the farm at Rautenback's Drifts had been burnt and destroyed. Prompt measures had, however, been taken by Colonel Smith on his arrival. Colonel Somerset had been sent down to Rautenback's Drifts with a cavalry force, and had dislodged the Caffres from a strong position they had taken up on the Bushman's River; the civil commissioner of Graaff Reinet had with his burgher force been acting on the left; thus the country to the rear of Graham's Town had been pretty well cleared of the enemy. On arriving at Graham's Town, a scene presented itself difficult to be described: the town was literally crammed with people, many of whom had fallen in one night from a comparative state of affluence to actual dependence on the public bounty. The town was barricadoed; women had slept for nights in the church for fear of an attack, and everything presented a scene of misery and confusion difficult to be equalled. Measures, however, had been taken for levying volunteers, and calling out and equipping the burgher force; and the governor having restored that order and confidence so imperatively necessary for effectual and combined measures, Colonel Smith was enabled to march with a tolerable force on the Fish River, and to dislodge, in three days of hard bush fighting, the enemy from that strong ground in which they had taken up their position. The frontier being thus cleared, preparations were made for entering Caffreland for a certain extent of purpose, for it is impossible that the governor could suffer such an unwarrantable aggression to be undertaken against the colony with impunity, nor could encouragement be given to the savage inroads of the barbarous natives by a course of pusillanimous concession and ridiculous forbearance. The governor considered himself imperatively called upon to punish these wanton aggressions; and having himself personally inspected, on his way to join the troops, the whole line of frontier, from the sea to Fort Willshire, along the banks of the Fish River, and between it and the Keiskamma, came to the fixed opinion, that without an overwhelming military force the frontier was untenable, from the nature of the ground, covered as it is with impenetrable jungle, or bush, which affords a fortress to the native in war, and a lair to conceal himself for the purposes of plunder in peace, a plunder which is carried on to an extent it requires local knowledge to believe. The governor, having himself personally examined the country, came to the determination to contract the extent of frontier line, and to place under British subjection the country between the Keiskamma and the Kei, as being the only means of resisting further aggressions, and placing the colony on a footing of permanent security, the good and peaceful policy of which the Caffres themselves appear to be sensible of, and the chiefs have already placed themselves under British subjection.

2643. You stated that you were aware that an inroad into the Caffre country had

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had previously taken place, aided by Ensign Sparkes?—I said that I had heard of it when I arrived on the frontiers, but that I was not personally acquainted with any of the circumstances.

2644. Did you hear that a detachment was sent, under Ensign Sparkes; that he seized a quantity of their cattle, and, upon their resisting, that his men fired and wounded one of the chief's relations?—No, I did not hear that; I heard, as a matter of conversation, that Ensign Sparkes had proceeded on the duty of patrol to recover some cattle that had been driven away, and that a Caffre had been wounded, and that Mr. Sparkes himself also was wounded; but the circumstances of the business I never inquired into, nor do I know them.

2645. But supposing that to be the fact, that we had sent a military detachment into the country, and had fired upon their people and wounded one of the chiefs, do not you think that would have constituted as good a ground for their making war upon us as their making an inroad into our territory would be for our making war upon them?—I do not see that that circumstance of Ensign Sparkes could have led to this irruption, because I conceive that it was so combined and planned a movement, they having covered 120 miles by one simultaneous movement over the border, that it is impossible that such a combination could have been formed in so short a time; I think it must have been the effect of considerable time, and that they had been concocting this invasion for some months, perhaps longer; I believe that is the opinion of those best acquainted with the Caffres.

2646. The question is, whether, supposing that we had sent a detachment under Ensign Sparkes into that country, and fired upon their people and wounded their chief's relation, whether, in your opinion, that would not have constituted as good a ground for their making war upon us, as much as their sending a detachment of their body into our country would be a ground of war from us upon them?—Supposing that we had sent that body into their country, without any provocation upon their part.

2647. Do not you think that the terms which you have used, as applied to the policy of our government, namely, that it would be a pusillanimous proceeding and a ridiculous concession, would have applied as much to the Caffres if they had not taken vengeance for such an atrocity, supposing it to have been committed?—Supposing it to have been committed, *cæteris paribus*, I should say yes; but at the same time I conceive, with respect to this patrol of Mr. Sparkes, that the provocation of plundering the colony had been certainly given in the first instance; I never heard of a patrol entering Caffreland in any instance in which such a provocation had not been given.

2648. Did you never hear of patrols entering for the purpose of recovering cattle, when, in point of fact, cattle had never been lost?—No, I have never heard of such a thing.

2649. Did you never hear of patrols going into the Caffre country and seizing from one kraal a quantity of cattle, though they had no other proof that the cattle had been seized by the inhabitants of that kraal, save that there were the tracks of their feet through the village?—I have heard of that; but I believe that there was an agreement entered into with the Caffre chiefs, that when the cattle was traced from the colony into their kraals, the first chief it was traced to was bound to make restitution; I speak under correction, but I believe it was so.

2650. Did you never hear that the chiefs themselves, instead of agreeing to that system, were in a state of great exasperation, in consequence of our patrols so continually entering into their country?—I have heard that the system of patrols kept up a constant feeling of bitterness on both sides.

2651. Do you think, therefore, that you were justified in saying that they had entered into war with us without any species of provocation?—Decidedly; because I conceive that from the new order of relations, which was taken to them by Dr. Philip, and gratefully received by them, and knowing that a new governor had entered into the management of the colony, and it having been explained to them that as soon as his public colonial business would permit he would be upon the frontier; I conceive that they having stated their agreement to those conditions, and their satisfaction with them, they committed an open breach of faith in breaking into the colony as they did.

2652. Then the ground of your thinking that there was no provocation was this, that they had received a communication from the governor, through the medium of Dr. Philip, offering fair and liberal terms, and had assented to that, and had entered into a communication with the governor, through the medium of Dr. Philip,

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Philip, and that consequently they were in a state of peace, and that former aggressions were to be forgotten on both sides?—Decidedly; a new order of relations was to be established altogether between the parties.

2653. Therefore you think they were not justified in making that attack?—Yes, I decidedly think they were not.

2654. But supposing no communication had taken place through Dr. Philip, would not that former provocation have constituted some excuse for their violent irruption?—I am not very well acquainted with what has occurred on the frontier, but from what I have heard I should say that the Caffres had much to complain of previously, but also that the colonists had been plundered by the Caffres to an extent which it is difficult to believe, without a knowledge of the country. I think there were great faults on both sides.

2655. Were those communications by Sir Benjamin D'Urban to Dr. Philip in writing or verbally?—I do not know.

2656. Do you happen to know whether Dr. Philip acknowledged that he was a medium of communication between Sir Benjamin D'Urban and the Caffre chiefs?—I believe he did; he expressed to Sir Benjamin D'Urban the satisfaction of those chiefs.

2657. Do you think that Dr. Philip fully understood that he had power to treat with the Caffres in the name of the government?—I believe he did.

2658. Do you think that he had reason to think so?—I have every reason to believe he had.

2659. Will you state all you know on the subject, as the grounds of your conviction of those two facts, that he had the power, and that he conceived he had the power?—I had nothing personally to say to Dr. Philip upon the subject; the only thing that I speak from is Sir Benjamin D'Urban's despatch, which I wrote myself on the 24th of January 1835, in which he speaks of it; besides, I have always understood that it was so. That Dr. Philip was in communication with the Caffre chiefs at that time, I know.

2660. That he was in communication with the Caffre chiefs is not disputed; the only question is, whether he was the acknowledged agent of government in those communications?—I believe him to have been so.

2661. Did Dr. Philip go into the Caffre country a short time before the war broke out?—I think he left Cape Town about August, and returned about October 1834; I think he returned two or three months before the war broke out.

2662. Then he was at Cape Town before the governor left for the frontier?—He had been, I think; I do not know anything about Dr. Philip; I never spoke to him in my life on any subject of interest.

2663. Do you know whether Dr. Philip had any interview or other communication with the governor previous to the governor's departure for the frontier?—I do not know; I cannot recall it to my recollection whether he had or not; it is a circumstance that I did not take any note of at the time, but I think he had.

2664. In a letter which has been received from Dr. Philip, he states that "it is probable that the colonial secretary will, in justification of the severity which may be exercised upon the Caffres, lay much stress on the facts that the governor had, through my medium, made promises to the Caffre chiefs that when he should arrive on the frontier he would take into consideration their affairs, redress their grievances, and that a secure and an equitable system of relations between them and the colony would then be introduced. That the governor made such promises, and that I communicated them to a few of the leading chiefs, is correct; and when the governor mentioned them to me on my return to Cape Town, as an aggravation of the offence of the Caffres, I replied by stating, that Tyalie, or Challie, as it is pronounced, was not of the party when I met the chiefs; that having met him on the way by accident on my return from Caffreland to the Kat River, on asking him why he was not at the meeting, he replied, that Colonel Somerset had sent for him that day, and detained him about nothing. I also stated to him, at the same time, that the reply of the chiefs I met to my communication was, 'We have been hearing such promises for the last fifteen years, and what has become of them; our situation has, during all that time, been every day becoming worse.'" Supposing the Caffres felt that they had been amused for many years with promises of the same nature as those that Dr. Philip offered, was not that some ground for them to suspect that those promises would not be performed?—Supposing all the

right

right to be on the side of the Caffres, and all the injustice and wrong to be on the side of the white men, the Caffre was very right to do his best to vindicate his right; but supposing the wrongs have been mutual, then when there was a promise of immediate redress, and placing the thing upon a fair footing, I do conceive that, after the promise so held out through Dr. Philip, the Caffre chiefs committed a breach of faith by attacking the colony.

2665. Do you know that, although at the very moment when we were promising them this new system, and all the benefits that the governor could confer upon them, an ensign, very young in age, commanding a detachment of our troops, entered into the country, and fired upon the people, and wounded one of their chiefs' relations?—Though I can speak to nothing of which I have no immediate personal knowledge, if you look at the state of the corps upon the frontier, and the small number of officers, you will see the necessity of occasionally trusting a young officer; and, at the same time, if he rather outsteps the bounds of discretion (though I do not accuse Mr. Sparkes of doing so), his age ought to be some excuse for him. That cannot be set down as a cause of provocation.

2666. Mr. *Gladstone.*] Are the Committee to understand you as affirming, by your testimony, the detail of circumstances contained in the last question?—I have already stated that I knew nothing of those circumstances.

2667. Are you aware where the kraal to which Ensign Sparkes proceeded was situated?—No.

2668. Are you aware whether it was in Caffreland or in the ceded territory?—No, I am not aware; I only speak of this subject from hearsay.

2669. *Chairman.*] Would it not be a provocation to the Caffres if they had previous experience of promises made and promises violated, and immediate experience of an inroad made into their country by our troops, attended with acts of violence, would it not be some justification of their consequent proceedings?—Supposing that no act of plunder had taken place upon the part of the Caffres before this incursion of our troops, it would have been a justification; but supposing, in the first place, they plundered our farmers, and that we merely took the cattle back again through the means of this patrol, I cannot see that any injury is done to the Caffres; the injury in the first place was done by the Caffres to us.

2670. Undoubtedly, supposing the Caffres robbed our people of cattle and we took them back, it was an act of plunder on the part of the Caffres; but supposing one dishonest Caffre chief stole our cattle and another honest Caffre man is shot for it, is that substantial justice?—Decidedly not.

2671. Mr. *Gladstone.*] At the same time, the Committee are to understand that the whole of these answers are purely hypothetical, and you have no knowledge of the circumstances?—Certainly, that is what I feel; I have no personal knowledge of them.

2672. Mr. *Bagshaw.*] You say that you only know of the patrol under Ensign Sparkes from common report and hearsay?—From hearing of it when I got to Graham's Town.

2673. Was any person killed upon that occasion?—No; Lieutenant Sparkes was wounded, and a Caffre was also; but I never heard that given as the least cause of the war.

2674. *Chairman.*] Have you never heard that assigned as the cause of the war?—No.

2675. Did you ever see any report made by Dr. Philip of this interview in which he had acted as a medium of communication between the Caffres and the government?—Never.

2676. Do you think it probable that he would have been sent into Caffreland as an authentic agent, and would not have been called upon to make some report upon the subject?—I do not know how far the governor might place confidence in Dr. Philip's verbal communications, or how far he might insist upon his communications being in writing.

2677. Mr. *Gladstone.*] Are you aware that the governor had verbal communications with Dr. Philip upon his return?—He had at several times interviews with Dr. Philip.

2678. *Chairman.*] Subsequent to his return from Caffreland?—I cannot speak positively as to the period; but the only time I have seen Dr. Philip has been when he has come to have interviews with the governor; it has been through my medium; he has come to me and expressed his wish, and I have expressed it to the governor.

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2679. Was that subsequent to his return from Caffreland?—I believe he had interviews with the governor after his return; I feel sure he had.

2680. Do you know whether the governor considered that the report made by Dr. Philip of the disposition of the Caffres was favourable?—He considered it perfectly satisfactory; he considered that the Caffres were contented with the sketch of the new arrangements and the new relations that were to be entered into, and which Dr. Philip had submitted to them.

2681. Then, upon the whole, your opinion is, that if Dr. Philip was employed as a medium of communication, and did communicate to the Caffres that he was so employed, and did receive assurances from them in return that they were willing to wait for the arrangement which he proposed to make, that in that case they had no provocation for breaking out into war as they did; but that supposing that all those facts are not so, that Dr. Philip did not communicate with the Caffres as an official agent of the Government, and did not receive their assurances of satisfaction, but, on the contrary, their assurances of the extremest dissatisfaction, that then the original causes of complaint which they had remained as strong as ever, and that they had serious grounds of complaint against the British Government?—I am not disposed to admit the second supposition at all.

2682. You have stated that you believe that Dr. Philip did officially communicate with the Caffres, and that he received a communication from them in return, which, if that was the fact, ought to have satisfied them to have remained quiet till the governor arrived?—Yes, if that answer was given by the Caffres, I think they ought to have remained quiet; and I have every reason to believe that that answer was given.

2683. In the despatch of Lord Glenelg to Sir Benjamin D'Urban, dated the 26th of December 1835, there is the following passage: "It is no impeachment of your habitual accuracy to say that you have inadvertently fallen into a misconception of the facts of this part of the transactions under review; I have before me evidence the most conclusive to show that Dr. Philip did not, either in his own person, or through the agency of any other of the missionaries of his society, make those communications to the Caffre chiefs with which you state him to have been charged by you. Whether he misunderstood your instructions, or whatever circumstance may have occasioned it, of the fact itself there can be no doubt; he neither negotiated as the agent of the local government with the Caffres, nor even delivered any message from you to the chiefs"?—Then I have no hesitation in saying that Dr. Philip deceived the governor *in toto*, as well as Lord Glenelg; I state that on my own responsibility.

2684. Will you state the facts upon which you ground that opinion?—I do not think I am called upon to state those facts; I had private information of the facts: if the thing is denied by Dr. Philip, I assert that it is so; and that if he did not make that communication, he led the governor to suppose that he had made it, and that he had received a satisfactory answer from the chiefs upon the question.

2685. You say you have private grounds for believing this; are those grounds which in any shape reflect upon Dr. Philip?—In no way further than upon this ground; if he denies that he did make a communication, I should conceive it certainly to reflect upon Dr. Philip, in that he deceived the governor; and that he did deceive him I have no doubt in the world.

2686. The Caffres, of course, cannot be responsible for any misconception, whether it originated with the governor or with Dr. Philip. Such being the fact, you are now asked whether, supposing the Caffres to have had no communication whatever from the governor of an official nature, they did not retain their grounds of complaint, which you have already admitted they had, against our conduct?—I cannot suppose the case as it is put by you, because I know the very contrary to have taken place: my firm opinion is that such a communication was given, and my firm impression is that they accepted the arrangement offered to them in that communication; and, therefore, I cannot suppose the other case. As I have said before, if you put the Caffres on the right side, as suffering great injustice from us, and suppose us to have committed every injustice without provocation, then we are decidedly wrong; but I cannot suppose that case, when I know the contrary to have occurred.

2687. Having now the declaration of Lord Glenelg, that in his opinion there is no incontrovertible evidence that the Caffres never did state, through the medium of Dr. Philip, that they were satisfied, do not the original grounds of complaint on the part of the Caffres still remain as strong as ever?—I may be allowed

allowed to say that, as yet, Lord Glenelg has only had Dr. Philip's evidence before him; that he has not yet had Sir Benjamin D'Urban's. When the counter-statement has arrived, which I have no doubt it will, and will be satisfactory and conclusive too, I shall be better able to judge of that question.

2688. Mr. *Pease.*] Do you think you are quite aware of the whole evidence that has been before the Colonial-office?—I am not.

2689. Mr. *Gladstone.*] You have said, that up to the date of Dr. Philip's mission there was considerable blame on both sides, both the colonists' and the Caffres'; are you prepared to say on which side, in your own opinion, the blame preponderated?—I should say, decidedly on the side of the Caffres, in my opinion; for this reason, that though I believe the reprisals that were taken were not, perhaps, those which were most pleasant to the Caffres, I feel quite sure that no patrol ever entered Caffreland without aggression having taken place on the part of the natives.

2690. At the period immediately preceding the invasion of the Caffres, had the colonial government any apprehension that the state of the frontier was such, that is to say, that the quantity of cattle stolen on the part of the Caffres, and the reprisals on the part of the colonists, had been such as to give any ground of alarm?—Not within my knowledge.

2691. Are you aware what were the precise measures which you suppose Dr. Philip to have been charged to propound to the Caffre chiefs?—I am not aware of the details of the measures.

2692. Are you aware whether they were such as to amount to substantial measures of conciliation?—I have every reason to believe they were, but I do not know the details of them; but from the reported satisfaction of the chiefs, I should think so.

2693. When you say that there was a good deal of ground of complaint previous to the mission of Dr. Philip, do you allude to any particular event, or to the general system of policy which had been pursued for a series of years?—To the general system of policy which had been pursued for a series of years.

2694. You are not aware that any particular period was distinguished by a greater share of those excesses?—I conceive the fact to be this, that one governor has treated them with severity, another with leniency, but that there has been no fixed system adopted towards them. I had no personal knowledge of the colony before 1834.

2695. *Chairman.*] You think that the vacillation of the system has been one great cause of complaint?—The uncertainty of it, I should say, more than the vacillation of it.

2696. You have said that you are convinced that no patrol ever entered Caffreland except upon serious and just grounds; do you think that a person in the situation of a deputy field-cornet, of whom we have evidence that he is not in rank and situation higher than a common constable in England, that his authority and his determination as to the grounds of the patrol were sufficient to prove that the grounds were actually just and proper?—Of course it must depend altogether upon the respectability of the witness in asserting the property was stolen; it will depend on the character of the man.

2697. Sir *Rufane Donkin.*] Did you mean to admit by your former answer to a question of the Chairman that Ensign Sparkes was really sent into the Caffre country in the way and under the circumstances which the Chairman has hypothetically assumed in putting the question alluded to?—No; I did not admit that he had gone under those circumstances.

2698. Did Ensign Sparkes go into the Caffre country at all?—I do not know how far he went to recover the cattle.

2699. You do not know that it was one of Emo's kraals?—No; I have stated that I was not personally acquainted with the fact.

2700. *Chairman.*] Do you admit that Lieutenant Sparkes was a very young man, and under age?—I do not know, as I stated on a former day, Ensign Sparkes's age; but I should judge him, from his appearance, to be about twenty.

2701. *Chairman.*] Do you admit that Ensign Sparkes had the command of a detachment which made an attack upon a Caffre kraal?—As I before stated, I have no personal knowledge whatever of this expedition or patrol under Lieutenant Sparkes; I merely stated that I had heard, upon my arrival at Graham's Town, that such a patrol had taken place, and that Ensign Sparkes had been wounded.

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2702. *Chairman.*] You have stated that the facts supposed in a former question relative to the patrol under Ensign Sparkes are not correctly stated?—I stated that I did not admit that he went under those supposed circumstances; I mean that; I do not assert what the fact is, either way; I have no personal knowledge of that patrol whatever.

2703. Mr. *Andrew Johnston.*] There is a passage in Lord Glenelg's despatch of the 26th of December 1835, to which your attention is now called: "It is established, beyond all possibility of contradiction or doubt, that for a series of years immediately preceding the invasion of 1834, the practice on our frontier districts was as follows: A farmer who had lost, or who thought proper to allege that he had lost, any of his cattle, preferred his complaint either to the field-cornet or to the military commandant of his district. Without further evidence or investigation, either into the reality of the loss or into the causes which might have produced it, a military force, with the complainant for the guide, entered the Caffre country; following up any tracks which he might, with whatever truth or falsehood, point out as the traces of his own cattle, they advanced to the first kraal or village to which these marks conducted them; there, without further inquiry, they demanded restitution. Innocence of the theft was not admitted by the commanders of these parties as any defence against these demands: whoever might have been the real authors of the wrong, the inhabitants of the kraal were required to compensate the loss, whether real or pretended, of the complainant, for no better or other reason than that he chose to ascribe to the tread of his lost cattle the marks which had been traced from the borders of the colony to that particular kraal. It was to no purpose to allege that these were the traces of other cattle, or that the real robbers had driven the cattle into the neighbourhood of the kraal to excite an unfounded suspicion against its inhabitants. Utterly regardless of these and all other grounds of vindication, the commanding officer, in the regular discharge of the duty assigned to him, enforced immediate reprisals against the kraal, driving away the cattle, and, in the event of resistance, proceeding to whatever extremities he might find or suppose necessary, extending in many cases to the burning the huts and the firing upon the inhabitants." Do you concur in the statement of the Colonial Secretary in reference to the commando system?—I never was employed upon the frontier before the Caffre irruption, and therefore I am not aware exactly what regulations were enforced upon the frontier for recovering cattle.

2704. Supposing that statement of the Colonial Secretary to be well founded, is it your opinion that that line of conduct was justifiable in regard to the Caffres?—I have before stated that I considered that there required great alterations in our relations with the Caffres.

2705. Assuming that such has been the conduct of the colony in regard to patrols, are you of opinion that it furnished a good ground for an invasion on the part of the Caffres?—I conceive that those patrols were never undertaken unless some act of aggression had first been committed by the Caffres upon the colony; either cattle stolen or something else, which those patrols were sent to find out. I conceive the first blow to have always come from the Caffres.

2706. But then, in the peculiar mode of meeting the first blow and dealing with the Caffres, are you not of opinion that good grounds were afforded for invasion?—I conceive that it required redress, certainly, supposing it to have been to that extent.

2707. *Chairman.*] Are you aware where Emo's kraal is situated?—I believe it is near Mount Somerset, but I am not quite sure.

2708. Are you aware that in the first instance Lieutenant Sparkes seized 40 head of cattle; that a second expedition was sent into the country, with orders to take 300 head of cattle, under Lieutenant Sutton, and that the original loss on the part of the colonists was only that of four horses?—I never heard that.

2709. If there should be put into your hand Lieutenant Sparkes's own statement of that fact, would that satisfy you?—Decidedly; but I know nothing personally with regard to that, more than what I have stated, which is, that I heard that Lieutenant Sparkes had commanded a patrol which went to a certain extent in Caffreland, and he came back wounded.

2710. Mr. *Bagshaw.*] You never were upon the frontier till you went with Sir Benjamin D'Urban?—No.

2711. And that very recently?—Yes.

2712. *Chairman.*] Was the murder of two British subjects and the improper treatment of missionaries and traders in Hintza's country among the grounds upon which

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which Sir Benjamin D'Urban considered that he might make war upon Hintza?—When Sir Benjamin D'Urban entered Hintza's country, he deemed it right to demand restitution in the first place, and to demand punishment of the murderers of those British subjects in the second place; but one of the British subjects was killed seven or eight days after we crossed the Kei, after we were in Hintza's country; the other man had been killed some months before. The immediate reason of entering Hintza's country was, that the cattle were known to have been driven through it; several of the cattle were known to be there; complaints were made, and Van Wyk was sent up to demand an explanation. Hintza in the first interview gave no satisfactory explanation, and absented himself from the second.

2713. Did the governor state that the murder of two British subjects was one of the causes why he made war upon Hintza?—No; when the governor read to Hintza, in our camp, a paper of the different complaints that the British Government had against him, the murder of those two British subjects was entered as part of the complaints; but one of the British subjects, as I before stated, was murdered in Hintza's territory after we had entered it, and therefore that was an additional grievance, after we had entered the territory, and during the time of truce, because the governor gave Hintza nine days or twelve days to come into his camp, and stated to Hintza's people, some people who said that they came from Hintza, that he would grant such a truce till Hintza came into his camp; that truce was granted, and it was during that truce that this man, Armstrong, was murdered in cold blood.

2714. What was the date of that?—We entered Hintza's territory on the 15th April; we heard in the camp upon the 22d of April of this man being murdered; he therefore must have been murdered upon the night of the 21st or morning of the 22d.

2715. You were understood to say that the governor, as far as you knew, did not allege the murder of those two British subjects as one of the causes of the war?—I have stated that the governor demanded from Hintza, in the list of grievances he had against him, as part of the treaty, that he should make satisfaction for that; when I say that he did not allege it as one of the causes of the war, I refer to the fact that one of the British subjects never would have been murdered if we had not entered the country; the other man who was murdered before might have been alleged as one of the minor causes to be redressed before terms were granted.

2716. Have you read the governor's communication to Hintza, dated the 25th of April?—I have.

2717. In that there is this statement: "First, for the cause already set forth by the commandant, Van Wyk, no satisfaction thereon having yet been given; second, because, in the month of July last, a subject of His Britannic Majesty, William Purcell, living within the territory of the chief Hintza (indeed not far from the chief's residence at the time), under the chief's sanction and permission to trade with his people, and under the security of his good faith, was deliberately murdered at his own door by a Caffre of the tribe of Hintza, or by a Fingo servant, suborned by one of his tribe, for which no atonement has yet been made; for although this atrocious and unwarrantable act was then duly made known to Hintza, no effectual steps have ever been taken for the punishment of the murderer, and for giving satisfaction in the matter to His Majesty the King of England for this unprovoked murder of one of his subjects; thirdly, for the recent murder of Armstrong, a British subject, by which also Hintza's people broke the conditions of my truce, and commenced hostilities; fourthly, for the violence, rapine and ill-treatment practised against the British missionaries at Butterworth, living there by Hintza's sanction, which had forced them to fly to the Tambookie tribe of Vossanie to save their lives; fifthly, for the violence, rapine and outrages committed also upon the British traders, who had thereby been alike forced to fly to the same tribe for refuge: that for all these reasons I would immediately commence hostilities upon Hintza." Is not that alleging the death of Armstrong and the death of Purcell as two of the causes which led to the commencement of hostilities against Hintza?—It must be considered that that was after we had crossed the Kei, and in the next place, it would be fair to read the causes set forth by the commandant, Van Wyk, which were the immediate causes of the hostilities being carried into Hintza's country.

2718. Was not this alleged as one of the causes why we commenced hostilities?



—As

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—As a minor cause; the great causes being those set forth by the commandant, Van Wyk.

2719. Supposing the murder of a British subject in the territory of Hintza to be one ground, though a minor ground, of war, is not the murder of a Caffre subject by British troops also as great a ground of complaint against us upon their part?—Decidedly, if it is done in equally cold blood.

2720. While Hintza was in the British camp, was any one sent to communicate with Macomo, Charlie and others?—Hintza sent two messengers to communicate with Macomo and Charlie and the others.

2721. Did the governor send any officer to communicate with them?—Not at that moment.

2722. Did he send Major Cox?—Major Cox was not with us; he was upon the Debn Flats, at some distance from us, where he had remained to continue to carry on hostilities with Charlie and Macomo.

2723. Did Major Cox have an interview with the Caffres?—He had; but subsequently to that period.

2724. What was the result of that communication?—I was not upon the spot, I was several miles distant.

2725. Do you know whether the reason of its being broken off was that they had learned in the interval that Hintza was a prisoner?—I have heard this; Hintza said that he had sent messengers to Charlie and Macomo, desiring them to lay down their arms, and to come to conditions with us; and it appeared afterwards that instead of having sent that message he sent to say that he was himself a prisoner, which he was *not*, and that the circumstance of that message of Hintza's, which was a false one, was alleged as one of the grounds that they did not come to terms.

2726. Did their thinking that Hintza was a prisoner lessen their confidence in the British?—I do not know.

2727. Did Major Cox sustain any injury while he was with the Caffres?—None; but it was subsequent to this that he had his interview with the Caffres, subsequent to Hintza having sent this message.

2728. Was he surrounded by a considerable body?—By a great number.

2729. Had they it in their power to put him to death if they had chosen?—Decidedly.

2730. Was not it very unfortunate, to say the least, that their king should come into our camp, and for attempting to escape, or for an alleged attempt to escape, should be put to death, whilst Major Cox, when he was completely in the power of the natives, sustained no injury or insult from them?—Major Cox and Hintza were in two very different positions: the one when he was killed had at his own request entrusted to his safe keeping, for which he was personally answerable, a very considerable body of our troops; upon the possession of Hintza's person depended the security of those men; the Caffres could have gained nothing by killing Cox, on the contrary, they would lose a good deal, as they themselves desired the interview.

2731. Did you hear that the person of Hintza was maltreated after his death?—I never heard it till I came back to England, and then I heard it; but I think that if it had occurred it would have been talked of in our camp, but I never heard of it till Lord Glenelg mentioned it to me.

2732. Mr. *Charles Lushington.*] Will you state how the safety of the detachment depended upon the possession of Hintza's person?—Hintza had been in our camp about a month; he knew the weakness of this detachment; he knew exactly where the picquets and posts were accustomed to be placed, and would naturally know the easiest way to attack them; he knew their weakness, and he was leading them on into a country thickly populated with Caffres, and had he escaped it is very likely that a successful night attack might have been practised on the body of the troops.

2733. Then it was important that Hintza in attempting to make his escape should be destroyed?—Or re-taken. I consider it to have been of paramount importance to the safety of the troops that they should have possession of his person.

2734. That is, under the apprehension that he would join his own forces, which were of much greater strength than our own detachment?—Our own detachment was only 400 or 500 men, surrounded by 10,000 or 15,000 Caffres.

2735. Mr. *Andrew Johnston.*] What time do you allude to at which Hintza had been previously in our camp?—He had been in our camp from the 29th of April.

2736. And

2736. And he was killed when?—On the 14th or 15th of May; he had been there about 17 days.

2737. You were understood to state that there were three Southeys in the corps of guides that accompanied Colonel Smith in his expedition into Caffreland?—No; Captain Southey was not with Colonel Smith. Whether both the other Southeys were with Colonel Smith, or only one of them, I cannot say.

2738. Here is a despatch of Colonel Smith, dated the 18th of May 1835, in which he states the portion of the force with which he entered Caffreland with Hintza: "15 men of the corps of guides, under Mr. G. Southey, and seven days' provisions"?—That Mr. G. Southey is the man who shot Hintza.

2739. Then, towards the conclusion of the same despatch from Colonel Smith, he says, "It becomes an arduous task, when the conduct of every one has been so conspicuous, to point out those who most merit to be most immediately brought to your Excellency's notice." He then goes on to bring before his Excellency's notice for commendation several officers, and among others Mr. George Southey, of the corps of guides. Is that the same Southey who killed Hintza?—That Mr. G. Southey undoubtedly killed Hintza; but I do not think it will be found anywhere that his Excellency granted to Mr. George Southey that commendation.

2740. But the George Southey who was recommended by Colonel Smith was the Southey who killed Hintza?—George Southey is the man that killed Hintza.

2741. Then it appears in an extract from general orders, dated Camp, at King William's Town, 10th June 1835, that the commander-in-chief again thanked several officers; Major Cox of the 3d, and Captain Southey of the guides?—Captain Southey, as I before stated, is not the man that shot Hintza.

2742. In the despatch of Lord Glenelg his Lordship states, "that Mr. Southey who gave the death wound appears to have been subsequently twice commended in general orders, though not indeed with any express reference to his conduct in this affair"?—I should conceive that Lord Glenelg in that fell into the same mistake which the Honourable Member (the Chairman) fell into upon the general orders, that he confounded Captain Southey with the man that shot Hintza.

2743. Among the papers which have been laid upon the table there is a return of the killed and wounded, from the 30th of March to the 30th of April 1835, signed by Dr. Murray, in which it is stated that there were three killed and eleven wounded of the force in the field of the invading army. Dr. Murray also states that the wounded are doing well, with the exception of two of the guides on the 2d Hottentot battalion. Can you state how many of the Caffres may have been reported to have been killed during the interval between the 30th of March and the 30th of April?—No, I cannot; it is difficult to ascertain, from the nature of ground.

2744. Then there appears in the same paper a return, also from Dr. Murray, of the killed and wounded in the invading army from the 1st of April to the 7th of June, inclusive, and there are returned nine killed and seventeen wounded; and the doctor states that the wounded have done well, with the exception of three cases which have proved fatal. Can you give the Committee any information as to the number of Caffres who may have been killed during that period?—No, I cannot give a correct idea of that.

2745. Were there any Caffre prisoners taken during the time which has been alluded to?—Yes.

2746. To what extent?—There were a good many taken in the colony, who were placed in the gaol at Graham's Town.

2747. Were there any taken after the invasion?—Very few; they seldom came into our camp, except women and old people, who were always fed, and remained in the camp a few days with us; and when we marched on they left us.

2748. Was there any action more serious than a skirmish between the invading troops and the Caffres?—It was a general skirmish, in a large extent of bushy country, lasting for two or three days; it was always more a general skirmish than a regular engagement.

2749. Was there any attack by a part of the Caffres upon the invading force?—As soon as they entered the jungle, but not in the plain; their fighting ground is the jungle; they never come out, except to attempt to overwhelm a small party.

2750. Then there was no regular engagement?—No; the most like an engagement was the defence which they made of a small battery upon the top of a mountain, which they defended against a company of the 72d, and wounded the captain and several of the men.

Major *Dundas*, called in; and Examined.

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2751. Sir *Rufane Donkin*.] DO you know Ensign Sparkes?—I do.

2752. Do you know what his age is?—I should say that he is upwards of 23.

2753. *Chairman*.] What grounds have you for saying so?—I have known him since the year 1823; I have known him 13 years, and I think that 13 years ago he must have been 12, certainly.

2754. Sir *Rufane Donkin*.] You were civil commissioner upon the Caffre frontier of the Cape of Good Hope?—I was.

2755. Do the field-cornets ever enter Caffreland at the head of an armed force?—No, to the best of my knowledge; the regulations which have since been made for the management of the frontier, of course, I know nothing about.

2756. *Chairman*.] Are you not aware that, by a proclamation of Sir Lowry Cole, field-cornets and deputy field-cornets are authorized to sanction patrols going into Caffreland?—If such a proclamation exists, I am not aware; we had, during the time I was there, what I consider military possession of the frontier; at that time no field-cornet or deputy field-cornet was allowed to pass the frontier; they were called upon, on losses being reported, to bring together as many people as they could, for the purpose of following the cattle stolen; then, having tracked those cattle to the boundaries, they were required to go to the nearest military post to report the circumstance, and they were then accompanied by a military party, but they were not allowed of themselves to go.

2757. At what time did you leave the Cape?—I left the country in 1828.

2758. Are you aware that Sir Lowry Cole, on the 6th June 1833, issued the following ordinance: "And be it further enacted, that it shall and may be lawful for any civil commissioner, justice of the peace, field-commandant, provisional field-commandant, field-cornet or provisional field-cornet, at all times of actual or threatened invasion, or for the protection of the colonists or their property, or when they shall otherwise deem it absolutely necessary, to summon the inhabitants of their district, division or ward respectively, or such of them as they in their discretion shall see fit, to appear at such time and place as they shall require, for the purpose of acting on commando"?—I am very glad to see that such an order has been made, because it is one of the most rational and best orders that could be; the special purpose is there stated, for the purpose of acting upon a commando; they cannot, according to the regulations, go upon a commando without being ordered upon commando. It is merely for the purpose of collecting the people, in order that they may be embodied in commando; not themselves to go upon commando.

2759. The words are, "To summon the inhabitants of their district, division or ward respectively, or such of them as they in their discretion shall see fit, to appear at such time and place as they shall require, for the purpose of acting on commando." It was therefore in the power of a provisional field-cornet to collect those persons together in order to go upon commando, was it not?—In the first place, it is to be understood what a commando is. A commando is not a small body of people that are collected for any particular purpose, or collected in that way; it is a general commando of the whole frontier; the whole of the armed population of the frontier are to be collected together. They have the power of calling upon those men, but the bodies of men so collected cannot be considered as a commando; they are collected for ulterior purposes.

2760. Mr. *Charles Lushington*.] The power of these officers above enumerated was confined to the assembling of the force, not for directing its operations?—To summon the force under the direction of the commandant upon the frontier; without his order they could not leave their place of rendezvous; but the parties that would be collected by this order could go no further; they could not enter into Caffreland.

2761. *Chairman*.] The preamble of this ordinance is, that whereas his Excellency the Earl of Macartney issued a proclamation to the effect, "that representation has been made to me that upon a report of the Bosjesmen or wild Hottentots having plundered the inhabitants dwelling near the Kei River, on the side of Bockeveld, in the district of Drakenstein, of a considerable quantity of their cattle, the landdrost of Stellenbosch had ordered an armed party of the inhabitants to assemble, and, under the command of a field-wachtmeester, to endeavour to recover the cattle that had been taken away, but that then, and in frequent instances of late, the greatest indifference and neglect of these commands had been shown, to the

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the detriment of good order and the evident inconvenience and danger of the well-disposed and industrious inhabitants; I have therefore judged it expedient and necessary to authorize landdrosts and magistrates of the several districts of this colony, and do by these presents authorize and empower the said landdrosts and magistrates, each within their district, to order a party of the inhabitants to arm, assemble, and take the field against the wild Bosjesmen, at all times when such an expedition shall appear requisite and proper: and I do by these presents enjoin and command the inhabitants so called upon to pay due and immediate obedience to the orders of the field-wachtmeesters, or other persons appointed by the landdrosts or magistrates to command the said party, and vigilantly to assist in repelling or attacking the wild Bosjesmen, runaway slaves, or other depredators of private property and disturbers of the public peace." Then the governor, Sir Lowry Cole, adds to the statement of Earl Macartney, that "whereas the said proclamation, and the other laws and usages relating to commandos, have not been duly observed of late years by the inhabitants of this colony; and whereas it is necessary to explain," and so forth; "therefore, be it enacted, that it shall and may be lawful for any civil commissioner, justice of the peace, field-commandant, provisional field-commandant, field-cornet, or provisional field-cornet, at all times of actual or threatened invasion, or for the protection of the colonists or their property, or when they shall otherwise deem it absolutely necessary, to summon the inhabitants of their district, division or ward respectively, or such of them as they in their discretion shall see fit, to appear at such time and place as they shall require, for the purpose of acting on commando." Does not that imply, that whereas the power before existing had been too limited, that now a deputy field-cornet and persons in a very low situation, at their own discretion, might summon together the persons of that ward or district for the purpose of proceeding on commando?—It is necessary to draw a line, and it must be a very decided line, between the measures which it is necessary to pursue on the northern part of the colony against the Korunnas and the Bushmen, and the Caffres. The Caffre frontier is at present a military occupation, defended by military forces, and there are no military on the northern frontier, and the same reasons for giving authority to field-cornets and deputy field-cornets that existed in the north did not exist against the Caffreland; that regulation does not apply to the Caffre frontier.

2762. Was not this an ordinance directed to the whole population upon all the frontiers?—My impression is, that we acted on a certain principle; we were defended on the eastern frontier by a cordon of military posts, and the regulation then was, and I suppose the regulation now exists, that if any robberies appeared to have been committed, the people were brought together, and the cattle were followed up to the boundary; then they were to communicate and report to the first military station.

2763. You speak of what took place when you were on the frontier, which was previous to 1828, but this ordinance was published in 1833, and therefore is it not possible that the regulations which were in force at that time might have been changed at a subsequent period?—Of course. I see that that proclamation has been issued in 1833, but I do not see that the regulations that existed when I was on the frontier would be set aside by that; it gives certain powers to the field-cornets or deputy field-cornets upon the northern frontier.

2764. Will you point out the passage in this proclamation which makes it apply only to the northern frontier, and not to the frontier generally?—In the first place, the Caffres are not mentioned in this proclamation; the first part of it specifies that in consequence of the wild Bushmen and the runaway slaves having been troublesome, such and such an enactment takes place; the Caffres are not mentioned from beginning to end, and they are certainly important enough to be mentioned, if any proclamation is intended to act against them.

*Lunæ*, 21° *die Martii*, 1836.

MEMBERS PRESENT.

Mr. Charles Lushington.
Sir Rufane Donkin.
Mr. Andrew Johnston.
Mr. William Gladstone.
Mr. Hindley.

MR. CHARLES LUSHINGTON, IN THE CHAIR.

Colonel *Wade*, called in; and Examined.

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2765. *Chairman.*] YOU served both in a civil and military capacity, I believe, at the Cape of Good Hope?—In both, during a portion of the time I was there.

2766. Will you be so good as to specify the respective periods?—I arrived at the Cape, from Mauritius, in the month of September 1828, with Sir Lowry Cole, as his military secretary; after remaining there two months I came to England. I returned to the Cape in the latter end of December 1829, or the first week in January 1830, and resumed my duties as military secretary, which appointment I held till the middle of 1833. During the last year and a half I was also for a few months in command of the 72d Highlanders, and afterwards deputy adjutant-general of the forces; and from the period of Sir Lowry Cole's embarkation, in August 1833, I was acting governor of the colony until the arrival of Sir Benjamin D'Urban.

2767. How long did you remain?—From the 10th of August to the 14th of January 1834; from the 14th of January 1834 to the 10th of December 1834 I was deputy adjutant-general; I was also during the above period, from the beginning of 1832 until Sir Lowry Cole's departure, a member of the council of government, and after Sir Benjamin D'Urban's arrival, a member of the executive council of government and of the legislative council of the settlement.

2768. You have been present during the time the whole or the greater part of the evidence has been taken before this Committee?—Yes, during the whole, with the exception of one day.

2769. Are you prepared to make any representations to the Committee respecting transactions that occurred at the Cape of Good Hope during the period of your residence there?—Yes.

2770. Please to do so?—If the Committee will permit, I will commence with the administration of General Bourke, although not during that period a resident at the Cape, because an important alteration in the system observed towards the Caffres and other natives, and in the frontier policy, took place from the commencement of his administration, and which it became necessary, shortly after Sir Lowry Cole assumed the government, again to change. I will explain, first, in what those alterations consisted, and then the grounds on which they were ultimately abandoned.

The alterations were principally three: 1st, The orders issued relative to the pursuit of stolen cattle by patrol; 2dly, An ordinance for facilitating commercial intercourse with the Caffres; 3dly, An ordinance for the admission into the colony of persons belonging to the native tribes beyond the frontier. The better to enable me to explain to the Committee the purport and consequences of the "orders" in question, it will be advisable that I revert for a moment to that period when the system was established which the latter were intended to supersede. In the year 1817, Lord Charles Somerset was called to the frontier by, as he states in his proclamation, "the frequent and daring depredations committed

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on the colonists by the people of the Caffre nation." On this occasion his lordship solicited an interview with Gaika, "in order to demand his aid in repressing the outrages committed by his people and those of the chiefs under him, and at the same time to notify to him the vigorous measures his lordship was determined to adopt in future, and the retribution he should henceforth require for any depredation committed." It must be here remarked, that Gaika was, however erroneously, at this period, believed to possess the supreme authority in Caffreland. The conference took place at the Kat River, and the arrangements then entered into, and which Lord Charles Somerset states were assented to by Botman and Isambie, who were supposed to be the most powerful chiefs, after Gaika, and whom he had invited to be present, consisted chiefly "in their promise to restrain, as far as possible, their respective Caffres from plundering the colonists;" "in their engagements to restore such colonial cattle as should be found among the Caffre herds;" and "in their agreeing to permit the colonial government to enforce restitution of plundered cattle from any kraal to which such cattle should be traced, or to permit the party following it to seize an equal proportion of Caffre cattle, should restitution or compensation under such circumstances be refused." The respectable missionary, Williams, who was present at the conference, relates that to this last proposition, "Gaika willingly assented, remarking, that it would be the right way to prevent any in future from secreting the thieves;" and in the proclamation already alluded to, it is stated that Gaika "not only pledged himself in the most unequivocal terms and unreserved manner to aid the colony in procuring retribution for any depredation henceforth committed, but to punish the depredators with death." Here then is the origin of the system of "reprisal," which, I must remark,—and I do so both on the authority of missionaries and others who have resided long in Caffreland, and as the result of my own inquiries from intelligent Caffres and others,—is in strict conformity with Caffre laws and usages, except only that these require, in addition to restitution, or an equivalent, that a fine should be levied on the offender in all cases of depredation. After the unmeasured abuse with which this system has been assailed, it is but an act of justice towards the governor, with whom it originated, to state, that whilst, on the one hand, he felt himself compelled to have recourse to it for the protection of the colonists, particularly of those in the Zuurveldt, where depredations had at this period been carried to an extent that had driven many of the inhabitants with ruin from their houses, the instructions issued by his lordship to the successive commandants of the frontier evince the greatest anxiety to guard against any act of unnecessary harshness or severity towards the Caffre in giving effect to it. "It is not," says his lordship, "to every officer, or to small parties, that the charge of demanding retribution should be entrusted; a sufficient force must be collected to enable the service to be performed without much risk; officers of experience and rank should be attached to these commands." The aid of the burghers was to be applied for if necessary; interpreters were to be provided; and "every step should be taken with promptitude and decision, using at the same time every endeavour not to give offence to the Caffre people beyond what is absolutely necessary; for," he adds, "it is a great object to the welfare of this colony that the Caffres should be as much as possible conciliated; and therefore, in all your intercourse with that people, you will not fail to bear this particularly in mind." And again, in the following year, 1818, when explaining to a new commandant the policy and objects of the government, and the means committed to him for carrying them into effect, the military secretary adds, "In every intercourse with the Caffres, it is his excellency's wish to treat them with tenderness and with strict good faith. He wishes to establish with Gaika in particular a closer union; and whenever it becomes his indispensable duty to chastise any of the border chiefs, he wishes and desires to confine that chastisement within moderate bounds, and not to destroy the cultivation or kraals of the offenders." From 1817, then, the system of reprisal had been acted upon to the month of April 1826, when Major-general Bourke abandoned it altogether, and directed, "that no invasion of the Caffre country should be made, either for the purpose of obtaining a stock of cattle equal to that of which the settlers may have been deprived by Caffre plunderers, or even for the recovery of stolen cattle or other property of settlers, although the most probable information may have been obtained as to the place to which it has been conveyed within that territory. Upon notice being given of such robberies, every exertion is to be made to overtake

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overtake the plunderers before they arrive within their own borders; but upon no occasion short of the robbers or their spoil being actually within view, are the borders to be crossed by the troops." It was at the same time directed, that "the greatest activity and vigilance should be continued, for the purpose of preventing depredations or interrupting plunderers who might have succeeded in driving off cattle from the lands of the settlers;" and the general added, that he trusted "that the friendly intercourse which the establishment of fairs had encouraged, and which might be still further augmented, joined to an entire abstinence from all irritating proceedings on our part, may have the effect of subduing the love of plunder which the savage tribes had hitherto manifested."

2771. Mr. *Johnston.*] What is the date of that order?—The 11th of April 1826. The fruits of this order soon became manifest; and in the following month of July the commandant represented the necessity of a departure from this system of forbearance in so far as that the patrols should be permitted to follow the spoor to the nearest kraal beyond the boundaries. The major-general, however, in a reply, dated 5th August, repeated his injunction, that "unless stolen cattle were actually in view, and that there was a probability of their being immediately overtaken, the border should not be crossed." The Committee will perceive from this statement, that it is an error on a point of considerable importance to state that "the reprisal system has been in operation ever since 1817." Here is a period of nearly three years (for these orders continued in force until February 1829) during which it altogether ceased, and one in which there was not only that "entire abstinence from all irritating proceedings" which the lieutenant-governor had enjoined, but, on the part of the colonial government, the most substantial proofs afforded to the natives on two separate occasions of the friendly feelings entertained towards them. To these I shall presently advert; but before I do so, I shall request the Committee to compare the return of cattle stolen from 1817 to June 1824, as given in the first part Parliamentary Papers, page 182, No. 50, 1835, with the evidence of the gentlemen who was chief magistrate of the frontier district during the whole period the orders in question were in operation; excluding, however, the losses in the year 1819, the cattle returned "stolen" in that year, not being by petty depredation but prize of war, and also the half year of 1824, there being evidently an error in the return. From his evidence, it appears that the average loss during the latter period "was 3,500 head of cattle and 120 horses annually," of which, Major Dundas states, not "one-tenth part was recovered;" nor must it be forgotten that during the first part of the former period, until October 1819, the Caffres still occupied the Bosch on the banks of the Fish River, which greatly facilitated their depredations; indeed, I am perfectly convinced, rendered the protection of the colonists from depredation, no matter by what system, and supported by what number of troops, utterly impracticable: and that during the years 1822 and 1823 of the same period, it is admitted, that "in consequence of the relaxation of the system of patrol, depredation had alarmingly increased." As I shall hereafter, with the permission of the Committee, revert to this subject of reprisal, for the purpose of examining the several systems that have been adopted for the protection of His Majesty's subjects, I shall not further dwell upon it at present. The second alteration in the frontier policy to which I have alluded was the law for facilitating (ordinance No. 23, September 1826) commerce with the Caffres. From the earliest period, the Dutch government, for a variety of bad reasons, had blindly set its face against intercourse with the natives; and the same unaccountable and short-sighted policy was adopted by the several English governors in succession, and persevered in for many years. Occasionally, indeed, these restrictions were relaxed, and then, after both parties had been permitted to taste the sweets, and been taught the reciprocal advantages of commercial intercourse, the non-intercourse system was again enforced with greater severity than ever, thereby necessarily increasing the very evils which it was intended, but certainly not calculated, to prevent. Within the last few years, however, this mistaken policy had been partially abandoned, and a regular traffic with the Caffre people had been established, for which purpose an "annual fair" was appointed to be held at Fort Willshire. Still this amounted to a very restricted intercourse, and Major-general Bourke determined to extend it. With this view, an ordinance was passed, in which, after providing penalties for trafficking

trafficking at the Fort Willshire fair without a licence, or for maltreating Caffres who resorted thither, a clause was introduced, whereby the chief magistrate of the district was authorized "to grant to colonists of good character licences to trade privately with the natives beyond the boundaries," and also "passports to the natives beyond the frontier to trade within the boundaries." The third measure introduced by the lieutenant-governor went very much farther, however, towards altering the colonial policy hitherto observed in regard of the natives than either of the former ones. This was an ordinance (No. 49.) for repealing all former laws which prohibited the natives from passing into the colony, and which provided for their admission by pass, not for purposes of trade alone, but for that of entering the service of the colonists, or of residing at the missionary institutions. The main object of this law was to procure to the inhabitants a supply of "free labourers;" and when I state that it was introduced by the lieutenant-governor, it is right that I should explain that the measure originated with Lord Charles Somerset, had been proposed by him to His Majesty's Government, was referred back by Lord Bathurst to the lieutenant-governor and council, where the ordinance was at length completed as it now stands, (with the omission of, as it appears to me, two very objectionable clauses of the original measure, relating to "apprenticeships" and "a fixed rate of wages,") and was then submitted for and received His Majesty's approval, before it was promulgated; that the whole of these measures were conceived in the most truly benevolent spirit, and adopted with the firm conviction that their operation would materially benefit both the colonists and the natives, no one who is acquainted with General Bourke will for a moment deny; and that the ordinance for facilitating commerce was well calculated to encourage a friendly intercourse, and to establish a better state of things both within and without the frontier, is unquestionable. But it is not less so, that the "orders," which restricted the pursuit of stolen cattle by patrol to the colonial boundaries, without any effectual means being at the same time taken to compel restitution, or in lieu thereof an equivalent, with, in all cases, a penalty for the offence, went very far indeed to defeat the object for which they were issued, and were calculated rather to excite and minister to than to "subdue" that "love of plunder," which, as the lieutenant-governor truly stated, "had hitherto been manifested" by the Caffres. These barbarians were not to be so dealt with; and as no measure was better calculated than the 49th ordinance to afford them an opportunity to indulge in this their favourite propensity, so is it quite certain they were by no means slow to avail themselves of it. The result, and in my humble judgment, the inevitable one, was increased depredation, if not from the very date of the orders in question, certainly at no very distant one; and from that of the promulgation of the 49th ordinance, the most extensive abuse of the indulgences conferred, not indeed by the other native tribes, from whom a supply of useful herds and labourers was then and continues to be procured, but by the Caffres, who flocked into the colony, with and without passes, in every direction, and not for the purpose of contracting with the farmers or proceeding to the missionary institutions, but solely for that of watching for an opportunity to plunder. So greatly had these evils increased towards the close of 1828, that they would of themselves, I conceive, have rendered imperative, at no distant date, a change in the policy of the colonial government, even though other circumstances had not occurred at this period which accelerated the crisis and compelled that change not as a matter of choice but of necessity. For several years past the interior of Africa had been in the most unsettled state; distant tribes had been in movement towards our settlement, from what cause, whether that redundant population was pressing upon scanty means of subsistence, or that warlike and ambitious chieftains had appeared upon the stage and the usual consequences had ensued, it is unnecessary here to inquire. The Committee will find in the Rev. Mr. Thompson's letters, (Part 1, Parl. Papers, No. 50, page 206,) that in 1825 one of these invading tribes had attacked, plundered and dispossessed a considerable body of the Tambookies, who retreated towards the boundary of the colony; in 1827, the effects of this commotion had reached the immediate frontiers, and created no slight alarm both within it and amongst the Caffre tribes beyond the boundaries. Another portion of the Tambookies, a peaceful people, who inhabited the country in front of the north-east limits, and with whom we had always been on the most friendly terms, were attacked in the month of July by one of the stranger tribes in question, by whom they were dispossessed of their

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country, and driven partly in upon the colony and partly into Caffreland. The lieutenant-governor hastened to the frontier, but before his arrival there the marauders having pillaged the Tambookies, and also a missionary institution on our immediate borders, had retired. Almost at the same moment the Caffres also were threatened with attack from another quarter, viz. by the Zoolahs, who inhabit to the eastward, in the country of Natal, one of the most warlike tribes, and conducted by the most ferocious and most successful leader who had yet appeared in Southern Africa. The Zoolahs had already approached the Caffre frontier towards the latter end of 1827, and in the following year their chief, Chaka, appeared determined to carry his threats into execution, and the Caffres were thrown into the utmost consternation and alarm. The governor and council had, however, already decided on the former occasion (and had proposed to give effect to that decision by a "commando," which was assembled when the invaders retired, and pursued them for a short distance, but without coming up with them), that, "without interfering in the internal disputes of the natives, it should be the colonial policy to maintain those tribes situate immediately in our front in the possession of their country, as long as by their friendly and peaceable conduct they proved themselves deserving of our protection."

2772. Mr. *Johnston.*] Who was governor at that time?—General Bourke; it was a short time before Sir Lowry Cole's arrival. The necessary arrangements were therefore made to support the Caffres, the avowed object of Chaka being to dispossess them and occupy their country, to which there is every reason to believe he had been instigated by British subjects residing at Natal, who had impressed him with the belief that an invasion of Caffreland would be favoured by the British Government. The chief Hintza, who lay first in the route of the invading force, and Gaika, with those on our immediate frontier, were called upon to lay aside their mutual jealousies, and make a resolute resistance against the common enemy, and the commandant of the frontier, Lieutenant-colonel Somerset, was directed to advance with the colonial forces, and, in conjunction with the Caffres, to oppose the further progress of the Zoolahs, to whom Major Dundas, the civil commissioner of Albany, had been shortly before despatched, to inform Chaka of the determination the colonial government had come to, to support the Caffres. At this moment (September 1828), Sir L. Cole arrived in the colony, the military and burgher force under Colonel Somerset being on the Bashee River, upwards of 200 miles beyond the boundaries. Now, what was the conduct of the Caffres on this occasion? "On our immediate borders, that of Gaika's people was such, plundering the inhabitants in every direction, that before the commandant could commence his march for the purpose of opposing the invasion of their country, he was obliged to take steps for repressing their hourly-increasing depredations within the colony, and was at last under the necessity of leaving behind him a detachment of the 55th regiment and a portion of the burgher force to accomplish this object; and as regards Hintza's people, in the rencontre which took place between Colonel Somerset's force and the savages, although there were, it is stated, upwards of 20,000 Caffres present, they remained inactive spectators of the fight, in so far as co-operation was concerned, their exertions, both during and after it, having been limited to the inhuman massacre of such of the women and children as were so unfortunate as to fall into their hands; an act of barbarity which was in direct violation of their engagements with Colonel Somerset, and which, together with their having abstained from taking any part in the dangers of the day, caused it to be notified to them by the colonial government that they were not to expect protection from the colony on any future occasion. It is right that I should explain to the Committee that the savages above alluded to were not the Zoolahs, for they had already retired, but the Massoutas, under their leader, Matuana, the same who had during the two last years attacked and driven the Tambookies in upon the colony, and who, having passed over the Stormbergen Mountains, were destroying the country and plundering and murdering the people of the Tambookie chief, Vossanie. The officer I have alluded to (Major Dundas) as having been sent to meet Chaka had already fallen in with these savages, and had assisted Vossanie in an attack upon them, for the recovery of the cattle of his tribe, which was fortunately successful; and as there is no transaction that has been more misrepresented than this one, I deem it right to annex the explanations which that officer has given to Sir L. Cole, in reply to an account of his proceedings published by one of the Wesleyan missionaries, Mr. Kay.—[*Vide* Annexure, No. 1.]

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The main body of the forces returned within the boundaries towards the month of September, but such was the excited and unsettled state of the whole Caffre people, that it was deemed necessary for some time to continue military detachments in advance of the eastern and north-eastern frontiers. During the absence of the troops, the Caffres, profiting by the indulgence granted by the 49th ordinance, had poured into the colony at every point of the frontier, and depredation was carried on to the most ruinous extent, and on some occasions was attended with acts of the greatest atrocity. At length two soldiers of the 55th regiment were waylaid and murdered by a party, who, as was subsequently proved, were sent into the colony by an inferior chief or captain for the purpose of stealing iron. The perpetrators of this most wanton act of barbarity were fortunately traced, and the chiefs compelled to give them up; and it must be admitted that on this occasion Gaika and some of the other chiefs showed an anxiety to detect and punish the offenders; the guilt of the latter was fully substantiated before the assembled chiefs; they were sentenced to death, and the Caffres required to execute them, with which they reluctantly complied. This act of retributive justice took place in the month of January 1829, and had for a moment the desired effect of intimidating the marauders; but within a few weeks depredation was rife as ever, and the governor at length felt himself compelled, as an act of justice to His Majesty's subjects, to revert to that more efficient mode of recovering stolen cattle and horses that Lord Charles Somerset had adopted; a measure, it must be observed, which Sir Lowry Cole had recourse to, not only in compliance with the representations of the civil and military authorities on the frontier, but at the express desire of Gaika and other of the Caffre chiefs, who in the preceding month of December had themselves represented "that the practice of discontinuing the pursuit on reaching the border, and calling upon the inhabitants of the nearest kraal to pursue it, had been the cause of much dissension and quarrel between the several chiefs," and, it must be added, "had been found in most cases ineffectual."

2773. Mr. *Johnston*.] For how long a period did General Bourke's system continue in operation?—From the month of April 1826 to the month of February 1829. Of the depredations committed at this period a very large proportion were attributed to the Caffres belonging to the two sons of Gaika, Macomo and Tyalie, who occupied, the former the vallies of the Kat Mountains, and the latter one of the tributaries of the Kat River, the Muncassanna; and as Macomo had moreover at the same time made that attack upon the Tambookies which is already recorded in the minutes, his removal from that tract, where he had been permitted to reside on sufferance, was determined upon, and a notification having been made to him that it would take place in a few months, it was accordingly effected in the ensuing month of April. As the "instructions" issued on this occasion are also on the minutes, I shall not further remark on this occurrence in this place, particularly as I shall have occasion to do so when speaking of the Hottentot settlements which were established in the country from which he was removed. Within six weeks after Macomo's expulsion the whole frontier was again overrun with parties of marauders; the Caffres re-occupied the sources of the Kat River from whence they had been removed, and were again expelled, but not before they had committed numerous excesses; the country was teeming with them; hundreds had entered with written passes, and had presented themselves, as required to do, at the military posts, "of whom not a dozen," as the civil commissioner reported, "were to be found in the service of the farmers;" there were also very many who had entered with passes, but had not presented themselves at all, and many more who had come in without having obtained any passes. The plundering at this period was carried to an unheard-of extent, and it was fully ascertained that if the chiefs did not encourage, they at least made no effort to suppress it. The ruinous nature of this harassing and never-ending system of spoliation will be best understood by the Committee, when I state that in the 10 months between November 1828 and September 1829, there were driven off by the Caffres, of oxen alone 5,560, and upwards of 300 horses, and of the former only 1,500 were recovered by the patrols; and it must be remembered that these were not losses resulting from any general inroad or combined attack, but the aggregate amount of 350 separate acts of petty depredation, committed by small marauding parties, perhaps never exceeding if amounting to eight or ten men each.

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2774. Mr. *Johnston.*] Have the documents to which you allude been given to the Committee before this time?—What documents?

2775. Those to which you have now alluded?—The returns of the depredations?

2776. Yes.—No; I give the amount of the losses from official documents; not official documents, however, which I can now produce, but which can be procured from the Cape. From my situation as military secretary, I can state to the Committee, without any hesitation, that these numbers are correct; I have taken them from the copy of an official document drawn up while I was military secretary, in the years 1831 and 1832, and which, if I mistake not, is in the Ordnance-office at this moment. From the above statement it will appear that the revival of the reprisal system had not had the effect of immediately checking depredations; on the contrary, subsequent to the month of February 1829, (when that system was renewed,) they were carried to an enormous extent, and in the two months of July and August alone they amounted to 2,029 head of oxen; but this is to be accounted for by the great facilities afforded the Caffres by the 49th ordinance for carrying them on with success; and as the evil consequences of the permission granted to them by that enactment, to throng into the colony, were now unquestionable, the governor, on the representations of the civil and military authorities on the frontier, and with the advice of the council, suspended (by a proclamation dated 24th August) the operation of it, in so far as Caffres were concerned, leaving it in full force as regarded the other native tribes, and the commandant was directed to remove all of the former who should be found wandering about, and who were not engaged in service; but as many of them had entered the colony under the protection of passes, he was particularly enjoined to use towards them as much leniency as possible. From this period the depredations, although still sufficiently grievous, were considerably reduced, and in the ensuing 12 months, from September 1829 to August 1830, amounted only to 2,619 oxen and 134 horses. There were, I must state, however, other circumstances which decided the governor to adopt this measure at the period I am speaking of, and I must also add, that it was the intention of Sir Lowry Cole to have renewed the permission to the Caffres to come into the colony on "pass," the same as the other natives, at a future period, if they had subsequently conducted themselves in a manner to merit that indulgence; but their conduct in 1830, to which I shall presently allude, as also to what I believe to have been the cause of that conduct, totally precluded it; for that conduct and same system were persevered in from that hour to the moment when he left the colony.

2777. Sir *Rufane Donkin.*] You mean that same system of Caffre inroad?—Yes; they were completely unsettled by certain circumstances that occurred in 1830, and also in 1832, which I will presently relate, and they never afterwards were so perfectly tranquillized as to merit a renewal of the indulgence that was at this period suspended. Reports had reached the governor at this time (August 1829) that the chiefs, instigated by Macomo, were preparing to invade the colony, and there were many circumstances calculated to strengthen the belief that such was their intention; the governor therefore determined to proceed to the frontier himself, and he accordingly arrived there in the middle of September. The alarm occasioned by the threatened invasion had in a great measure subsided, and having investigated the circumstances that gave rise to the report, he was at that time persuaded that a coalition amongst the chiefs for the purpose had not existed. But from information derived from the Caffres themselves, long afterwards, there can be no doubt that if Macomo could have persuaded the other chiefs to unite with him the invasion would have taken place, which is confirmed in the letter of the Rev. Mr. Shaw (who was living amongst the Caffres at the time) to Lord Aberdeen, which is before the Committee. Whilst on the frontier the governor had two conferences with the Caffre chiefs, Gaika and Macomo excepted, the former being ill and the latter not choosing to attend, when he again explained to them (for the commissioner-general had already done so) the grounds on which Macomo had been removed from the Kat River, the terms on which certain of the chiefs with their tribes would be permitted to remain within the colonial boundaries, the precise limits within which they were to reside, the system which would be adopted in recovering stolen property, and the inevitable consequences of depredations being persevered in, namely, that the tribe to which they were traced would be forthwith removed from the ceded territory. The Caffres pledged themselves to restrain their dependants, and for a few months,

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during the summer season, (which it must be observed is never that of active depredation) the amount of the latter was considerably diminished, and some of the chiefs, particularly those of Pato's tribe, exerted themselves in intercepting marauders and causing plunder to be restored; but in the month of March 1830, the predatory inroads were renewed, and depredation was carried on with a daring boldness and attended by circumstances altogether unprecedented.

2778. *Chairman.*] Why are depredations more suspended during the summer season?—In consequence of the lightness of the nights, and the more plentiful supply of provisions. The Caffres occupying the Chumie basin, those belonging to the sons of Gaika, sent away their families and their herds of cattle to a distance, they themselves remaining scattered over the country in large armed parties of 400 and 500 men each. They no longer permitted, as heretofore, and as was expressly stipulated for, small parties of the mounted Hottentot corps to proceed on the "spoor," but even ventured to attack and attempted to cut off patrols consisting of 30 men each, who were obliged to have recourse to their fire-arms to secure a retreat. The consequence of this conduct was that commando of "July 1830," most of the particulars of which are already on the minutes. I shall now relate the circumstance to which I have above alluded as having excited and unsettled the Caffres so much a short time before this, and beg to mention that this is the period which has been referred to by a former witness, Major Dundas. When Dr. Philip, the superintendent of the London Missionary Society, and his son-in-law, Mr. Fairbairn, the editor of one of the Cape newspapers, visited the frontier, it was represented to the governor that these gentlemen in their communications (and it was stated that they had several) with the Caffres had done much to render them discontented, by impressing upon them that they had been unfairly dealt with, and unfairly dispossessed of their country; and it was stated that they had recommended them to apply to the Home Government to be re-established in the ceded territory. In a letter written by myself to the commandant at this period, dated the 30th of May 1830, I find the following: "His excellency entirely approves of your acting towards the chief Charlie, and the Caffres generally, in the manner you have proposed, provided the commissioner-general and you are perfectly agreed that the several facts adduced in proof of the aggression of the Caffres have been substantiated, and that you also agree upon the measures necessary to be pursued in punishing them. His excellency's anxiety that the most complete proof should exist of the Caffres having been in each case the aggressors arises from his firm conviction that the late proceedings of Dr. Philip when on the frontier have in a great measure, certainly to some extent, been instrumental in exciting the Caffres, and inducing them to act as you state them to have done, and because, under these circumstances, it may hereafter be peculiarly necessary to be able to show that in acting towards the Caffres with severity we were compelled to do so for our own protection and security." Not very long after that letter to Colonel Somerset was written I received a private letter from him, dated "July 9, 1830," in which he says, "In reference to Dr. Philip's late proceedings in Caffreland," (these I beg to say are the letters to which Major Dundas referred in his evidence on the former occasion) "I have ascertained that he (Dr. Philip) assembled the chiefs, and said a great deal to them about the land to Boteman at Fort Willshire. He remarked that he (Boteman) should go to England and petition the King; that if the King would not give him redress, he should petition Parliament; and if he failed there he should appeal to the British public, who would take his cause up, and that he (Dr. Philip) would make every exertion for the Caffres. I mention this privately, not knowing whether Sir Lowry would desire that I should notice it officially. I have been given to understand that this communication took place in the presence of some of the officers. The mischief that these kind of people do, going into Caffreland with such feelings, is incalculable; it shakes the faith of the Caffres in the government, and makes them unsettled and suspicious in a most extraordinary degree." My reply to that letter, by direction of Sir Lowry Cole, was as follows: "July 16th, 1830. I have communicated to his excellency the contents of your letter of the 9th instant. If you can obtain positive evidence in writing of the truth of the statement you refer to respecting the nature of Dr. Philip's conversations with the native chiefs, particularly of the one with Boteman, his excellency desires that you will report officially on the subject. It is, however, of the utmost consequence that any evidence adduced on such an occasion should be perfectly clear and satisfactory, and altogether free from the slightest suspicion of its being the

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result of feelings excited by party or passion. If you can procure from Boteman himself, in the presence of some respectable person, an avowal that Dr. Philip's advice to him was such as has been stated to you, it is very desirable it should be obtained; but you will no doubt see the necessity of any inquiry into this matter being made in the most secret manner possible." Colonel Somerset's reply to that letter I have not possession of. It was, I believe, an official one, and if so, it doubtless will be before the Committee among the documents required from the Cape of Good Hope; but whether official or not, I perfectly recollect that the reply stated that there could be no doubt whatever as to the conversation having taken place, but that Boteman could not be induced to appear as an evidence, or to admit it; and Sir Lowry Cole therefore decided that as the conversation was carried on through an interpreter, he would not take official notice of it, because he did not think it would be sufficiently satisfactory unless the Caffre chief himself would give evidence. After Major Dundas mentioned this circumstance to the Committee last year, I wrote to the Cape of Good Hope to obtain information as to who the officer was who was present; and I received only last week a letter from thence, stating that the conversation was perfectly well known to have taken place, and that the officer, Lieutenant Robertson of the 55th regiment, had lately returned to this country from India. I wrote to Mr. Robertson last Tuesday, without adverting to the terms of the conversation, merely asking whether he recollected a conversation taking place between Dr. Philip and the chiefs; whether he was present, and could give information upon the subject. I received his answer this morning, in which he informs me, " that he was quartered at Fort Willshire in the year 1830, and recollects the visit of Dr. Philip, accompanied by Mr. Fairbairn (the editor of a newspaper), another missionary (name not at present in his memory), and two foreigners, likewise missionaries. The party remained some few days. Lieutenant Robertson recollects being present at a conversation that took place in a tent some short way distant from the fort, between the above party and the Caffre Chief Boteman, with several others, the purport of which was, to the best of Lieutenant Robertson's recollection, that he, the said Boteman, had been an ill-used man; that his case ought to be made known in England; that he ought to go himself to the King and Parliament, and if they did not give him redress for himself and people, all that he had to do then would be to appeal to the British public, and they would see justice done him. Lieutenant Robertson mentioned this to Colonel Somerset, at that time commandant of the frontier. Lieutenant Robertson begs to inform Colonel Wade that he is quite at liberty to mention his name as authority for the above."

2779. Mr. *Johnston*.] Did you mention that Lieutenant Robertson obtained this information through the medium of interpretation?—That the conversation was carried on through an interpreter.

2780. *Chairman*.] Do you imagine that Boteman and the other chiefs whom Dr. Philip addressed upon the occasion alluded to distinctly understood the relation in which Dr. Philip stood, that is, that he was totally unconnected with the government, but was merely addressing them as a missionary and a private individual?—Certainly; I have not the slightest doubt that the Caffres knew perfectly well he had no authority upon the frontier; that those who were authorized to treat with them upon all subjects were the commandant and the civil commissioner; and that the missionaries have never, I believe, since Mr. Thompson, one of those who was stationed in Caffreland, was employed as a government agent, acted in that capacity, nor have there commonly been any communications from the government through the missionaries. On the contrary, I know that, during Sir Lowry Cole's administration, he most carefully abstained from using missionaries for any political purpose whatever.

2781. Such being the case, and the Caffres distinctly understanding the relation in which Dr. Philip stood, they would naturally not attach any great weight to what he asserted, and the advice which he gave to them with respect to appealing to England?—I do not think that follows by any means. Dr. Philip is a person to whose influence much importance is attached among the natives, both within and without the boundaries; and I have not the least doubt that the generality of the Caffres did believe that Dr. Philip could obtain for them the ceded territory; and I have as little that his representations on this occasion did unsettle them very much. At the same time that Sir Lowry Cole felt it his duty to protect the lives and property of His Majesty's subjects by suspending the operation

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operation of the 49th ordinance, as has been stated, he was not less solicitous to secure the natives from violence or injustice on the part of traders or others proceeding into Caffreland, as far as it was possible for him to do so; and he accordingly promulgated another ordinance (No. 81), "for the better regulation of the trade carried on beyond the boundaries of the colonies." The principal alterations introduced by this ordinance, as compared with that of General Bourke, which has been already alluded to, were the reduction of the licence to one-half, viz. from 6*l.* to 3*l.*, both for the traders at the fair and for those proceeding beyond the boundaries, but requiring the traders to enter into two recognizances of 100*l.* each for their own and the peaceable and good conduct of their servants "towards all and every person with whom they should meet beyond the boundaries," that they would only act "in defence of themselves or their property," "not sell or barter any fire-arms or ammunition to the natives," and neither "directly or indirectly kidnap, purchase or bring within the boundaries any person, &c. without his free will and consent;" also the quantity of arms and ammunition which it was permitted to each trader to carry beyond the boundary was to be noted upon the licence, and the traders were to present themselves at the nearest military post upon their return to the colony, and there to account for those arms. The ordinance also provided against any contract with the natives being entered into beyond the boundary, to guard them from being kidnapped, &c. I shall not at present further advert to the transactions in the year 1830 and 1831, which have been already pretty fully detailed to the Committee in the evidence of Captain Stockenstrom; there are, however, some observations connected with those transactions which I shall hereafter offer to the Committee. My reason for not doing so now is this: I have received letters from the Cape of Good Hope, alluding to the copies of several documents connected with that period which have been forwarded to me, but which I have not yet received; the letters have come to hand, but the copies of the documents were sent by another conveyance. Having in the former part of my evidence related the extent and consequences of the change in the colonial policy introduced by Major-general Bourke with regard to the Aborigines, beyond the boundaries, I shall next proceed to describe a most important, and, in many points of view, most salutary measure introduced by him for improving the condition of those within the colony, and which it is essential to advert to, in order fully to understand the objects the colonial government had in view in locating the Hottentots in the vallies of the Kat River in 1829, after the removal of the Chief Macomo. I do not consider it requisite to enter into any detailed history of the state of utter degradation from which the 50th ordinance was intended to rescue the Hottentots and other free persons of colour. Suffice it to say, that from all I have been able to learn, the state of the slaves was a thousand times preferable in every point of view to that of this unhappy race, who, amounting at the very least to a fourth part of the whole free population of the settlement, were held in the most degrading thraldom by their fellow-subjects, at the same time that both Dutch and English Governments over and over again admitted, and by the strangest of all inconsistencies admitted it in the very proclamations and ordinances in which their compulsory servitude was provided for, that "the Hottentots were a free people." From the withering effects of this bondage (in truth I know not how to designate so monstrous an anomaly), the 50th ordinance was intended to emancipate them; and it is but an act of justice to Major-general Bourke to state the fact, that to him, and him alone, are they indebted for that charter of their liberty, and not to any instructions from the Home Government, to the interference of the Legislature, nor, as has been over and over again asserted, to the publication by Dr. Philip, the superintendent of the London Missionary Society, of his "Researches in South Africa;" a point on which I deem it the more necessary to disabuse the Committee, because I am well aware that not only the Hottentots have been taught to ascribe to the exertions of that gentleman in their behalf, and not to the spontaneous act of the colonial government, both that measure and every other benefit which since its promulgation has been conferred upon them, but that very many influential persons in this country partake of this most erroneous, and, as regards the people of colour themselves, most mischievous opinion, one which, I must add, the public declarations of Dr. Philip in regard to this ordinance have been but too well calculated to confirm. Amongst other provisions for improving the Hottentots, the ordinance in question set at rest for ever the doubts which had arisen as to "the competency of the Hottentots or other free persons of colour to purchase and possess land;" and they were placed on the same footing with

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all other colonists in this and all other respects, one only excepted, which, as in my humble opinion it operates directly to retard, in truth, I would rather say to render almost impossible, the improvement or advance in civilization of by far the majority of this class, I shall hereafter allude to in a more special manner. Some of the consequences of the emancipation of the Hottentots are thus described by Mr. Pringle, on whom I should certainly not rely, were not his statements derived, as I believe, from good authority, and the correctness of them on this subject borne out by my own subsequent inquiries.

"Immediately on the promulgation of the ordinance vagrancy to a considerable extent did take place among the Hottentots. Finding themselves all at once released from the coercive shackles and oppressive disabilities to which their race had been so long subjected, a large portion, from a not unnatural impulse, left the service of the colonists as soon as their contracts of servitude expired, and some even fancied themselves authorized by the new law to break short those engagements. Many repaired to the missionary institutions (which but few had been previously permitted to enter), without having adequate means to maintain themselves there. Numbers flocked to the district towns and villages, where the temptation of cheap brandy, procurable by little labour, soon betrayed many into profligate habits, and led some of them to commit depredations on the flocks of the farmers."

On every account, then, it became a matter of great importance to induce these people to abandon their vagrant propensities, by affording them the opportunity of establishing themselves, wherever there was the means of doing so, within the reach of moral and religious instruction, the influence of society, and the protection of the magistracy. The ordinance had not been in operation two months when Sir Lowry Cole arrived, and one of his very first acts, before he had been a month in the colony, was to propose for the opinion of the commissioner-general a plan for the settlement of Hottentot families on the vacant government lands situate in the vicinity of the several towns and villages, as also their location on the government farms, which had been occupied by the several landdrosts, and had been lately resumed by the government. To this scheme, however, the commissioner-general objected, principally on the ground that in their present condition they had not sufficient check upon themselves to withstand the temptation which would be afforded, when so situated, by the ease with which strong liquors would be procured; and he recommended in lieu thereof the adoption of a measure which he had already brought under the notice of the government; viz. the occupation of the whole ceded territory by as many Hottentots, indiscriminately with other colonists, as could be found with sufficient character, recommendation and property, or assistance of others, to be set up as graziers or agriculturists. The occupation of the whole ceded territory by any class of settlers was a measure involving too many important interests and considerations to be hastily adopted: not only His Majesty's Government had not yet decided that it should be occupied at all, but the grants that had been made therein a few years back, in the parts adjacent to the Graaf Reinet district, although ultimately confirmed by the Home Government, had been commented on, both by the Commissioners of Inquiry and the Secretary of State, with great severity. The governor would not therefore have felt himself authorized to adopt the proposal in question without a previous reference to England, had he even been inclined to try experiments on so extensive a scale as to transplant into so important a position, in immediate contact with the Caffres, so large a body of the yet untried Hottentots, even indiscriminately with other colonists. It was precisely at this juncture that the attack of Macomo on the Tambookies occurred, and which, coupled with the extensive depredations committed by his people, led to his removal from the Kat River. Notice was immediately (in the month of January) communicated to that chief that he would be required to withdraw at a later period, but the occupation of the district he was to evacuate by Hottentot settlers was certainly not thought of for at least three months after his expulsion had been decided upon. In compliance with the "instructions" contained in the chief secretary's letter (already on the minutes), the commissioner-general, who was at Cape Town, proceeded to the frontier to superintend Macomo's removal; and it was not until his arrival at Uitenhagen that he wrote, on the 17th of April, to Colonel Bell, proposing that the Hottentots should be located at the Kat River. The reply of the chief secretary, communicating Sir Lowry Cole's acquiescence, is dated the 8th of May; and I request that these documents may be put on the minutes, in order that this subject, which has been most grossly misrepresented by a host of writers, who appear to have vied with each other in villifying both the colonists and the colonial government, may be set at rest for ever.—[*Vide* Annexures, Nos. 2 & 3.] The settlement of the Hottentots in the

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Kat River was commenced in the subsequent month of June 1829, and within one year from that date its progress was most favourably reported of, although the settlers had had drought, horse-sickness and Caffre depredations to contend with. These last were attributed principally to the numerous marauders who, notwithstanding the proclamation of August 1829, were still lurking in considerable numbers in the skirts of the locations. The progress of the settlement during the ensuing three years will be best understood by an enumeration of the population, stock, produce, houses built, canals opened, &c., as reported by the acting commissioner-general in July 1833. In 1830 the population consisted of about 900 souls, of whom from 250 to 300 men were available for defensive purposes. In 1833 there were permanently fixed in the locations 52 separate parties, constituting, not indeed a population of 5,000, as has been so frequently asserted, but one of 2,114, men, women and children, for the most part comfortably lodged. They possessed, moreover, 88 riding horses, 142 breeding horses, 2,444 head of cattle, and 4,996 sheep; they had sown 130 and reaped 2,300 muids of wheat and barley; built, besides inferior cottages, 12 substantial stone houses, planted 13 orchards, and completed 55 canals for irrigation, of which 44 measured 41,750 feet, or nearly 24 miles. It may be as well to add, that when I visited the settlement at the close of 1834, there were available, for defensive purposes, 300 mounted, and 451 dismounted men, who were in possession of 438 stand of arms, of which 192 were private property; in this force of 759 men were included, however, some who were not settlers, but natives from beyond the boundaries, chiefly the Gonahs, who were in the service of the farmers. To the colonial government, it appeared that a settlement which had, thus far, succeeded greatly beyond the most sanguine expectations of those who had planned it was well worth preserving, and that its inhabitants were entitled to a more than ordinary share of protection. It was an experiment made with the double view of "proving how far the Hottentots could be rendered available in assisting in the defence of the frontier in case of actual invasion," but "chiefly in how far they were capable of acquiring a character for good conduct and industrious habits, when left completely to themselves." As regards the former object, at the period I am speaking of, although they had been constantly harassed by, and indeed in almost daily collision with marauding bands of Caffres, they had fortunately not been called upon to resist any open attack or general inroad, such as has lately occurred; but with reference to the latter one, the above statement of their progress is the best evidence that they could be industrious, and were as capable of contending with ordinary difficulties as their fellow-men. I deem it essential to remark here, however, that, in my humble opinion, it would be the greatest of all mistakes to conclude that because the Kat River settlement has thus succeeded, another on a similar scale, and composed exclusively of the aborigines, would be attended with like success, or that if the mass of the Hottentots were so dealt with, a result equally gratifying might be fairly anticipated. That a portion of the common vagrant class of the Hottentots was to be found amongst those who were originally congregated at the Kat River is perfectly true, but there were also many Hottentots who had served in the rifle corps, many who had long resided at the different missionary institutions, and several who were in the possession of the surest test of industry, viz. property, some more and some less, acquired in the service of the farmers. But, in addition to these, there was also a considerable number of another and an infinitely superior class to the Hottentots, namely, the Bastaards, men of sober, industrious and settled habits, who were both desirous of and apt for improvement, and to whose example and exertion the settlement is mainly indebted for its prosperity. Now, whilst of the vagrant Hottentots, unfortunately, many thousands might be collected in a very short space of time throughout the colony, it would, I am convinced, be exceedingly difficult to bring together an equal number of Bastaards equally respectable and intelligent with those in the locations, without withdrawing them from places where they are already settled. As already stated, the Kat River people at the very outset were exposed, in addition to the usual difficulties settlers have to encounter, to horse-sickness, and drought, from both which they suffered severely. These were evils beyond the control of the colonial government; but, happily, in the succeeding years the settlement was blessed with plentiful rains and luxuriant crops. There still, however, remained other evils, and the most crying ones in the whole catalogue of their grievances, evils that grew with their growth and pressed sore upon them, and for the removal of which they looked to and had a right to expect the interference

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ference of the government. These were, first, the intrusion of hundreds of natives of every shade and denomination from without the colony, Caffres, Fingoos, Bechuainnas, Gonahs, &c. &c., and of multitudes of the vagrant portion of their own tribe from within it; secondly, the hourly-increasing vexatious and ruinous depredations, both by theft and trespass, of their Caffre neighbours.

Of the first class of intruders, the foreigners, there were in the settlement, in the month of October 1833, several hundreds, of whom some were usefully employed, as they had taken service with the farmers, but by far the greater number had established themselves, not only as squatters, but in regular kraals in the heart of the locations. "Idle dissolute vagabonds," (as they were described to me by the acting commissary-general,) "declining to take service, following no occupation, subsisting on the plunder of the inhabitants, and, moreover, sturdily refusing to leave the settlement when required to do so." Of the second class, the domestic vagabonds, the Hottentots, the colonial laws on the subject of vagrancy did not, and do not, apply to them, the whole of the judges being at that time of opinion, and the majority of the bench still remaining so, and administering the laws in conformity to that opinion on circuit, "that no law which at present exists, nor any that may be framed for the suppression of vagrancy in the colony, can be carried into effectual operation in respect to Hottentots, or other free persons of colour, so long as the 2d section of the 50th ordinance stands unrepealed."

I beg to say, that the above extract is from the opinion of the judges, addressed to the governor and the legislative council, when called upon, in 1834, to explain the nature of the laws then in operation in regard to vagrancy, and to state whether the 50th ordinance had or had not the effect of exempting the Hottentots from arrest on the charge of vagrancy. In the first instance, the judges were unanimous in their opinion, that so long as the second section of the 50th ordinance stood unrepealed, Hottentots could not be arrested on a charge of vagrancy; subsequently the chief justice changed his opinion, but the majority of the bench retained the former one; and they were unanimously of opinion, that even if the 50th ordinance had not the effect of exempting the Hottentots, and that if so much of the old law of the colony as remained unrepealed should be re-enacted in the form of a new ordinance, that it would be totally unsuited to the circumstances of the case and the state of the colony.

To this evil, therefore, the settlers were obliged to submit. The law refused them protection, and the executive could not interfere with or set aside the law; and, as they themselves described it to me on the spot, they were "eaten up" by the swarms of their friends and relations, who, having no fixed abode or lawful means of subsistence, were living upon them in a state of wilful idleness (in a colony where every individual who is willing to work can obtain employment), and when not thus provided for by the improvident hospitality for which their race is proverbial, were providing for themselves by depredations on the flocks of the farmers; their uncontrolled vagrancy necessarily leading in the first instance to the commission of petty offences, and the constant repetition of these to acts of a far more serious nature, and to a considerable "increase of crime" throughout the colony; the inevitable consequence, as it appears to me, of the unhappy gift of unrestricted liberty conferred on the free coloured population by the 50th ordinance, without any attendant measure for controlling their irregularities, and saving them from the worst enemy they ever have had to contend with, namely, themselves. I beg to add here, that the proof of "increase of crime," which it is my intention to offer to the Committee, is the copy of a return prepared by one of the judges and the attorney-general, taken from the record of the indictments of all cases and persons tried in the supreme and circuit courts from the year 1828 to the year 1833. But at the same time it must be recollected that in that return the petty offences which have been tried in the resident magistrates' courts are not included, and, amongst others, the theft of a single sheep. Such offences are not included in the statement I shall produce; but I know that the increase of petty offences tried in the resident magistrates' courts since 1828 is very considerable, compared with what they formerly were. Speaking on the subject of the visits of the vagrant Hottentots to their industrious brethren in the Kat settlement, I was assured on the spot that many individuals of industrious habits, who had entered the locations in the possession of quite sufficient property to promise a fair chance of success, had within a few months after their arrival been obliged to withdraw and again seek for service, their last sheep having been devoured by their indolent and voracious visitors. As regards the second source of evil I have mentioned,

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"Caffre depredation," neither their own personal exertions nor the unceasing watchfulness of the detachment of troops, which from the very first was placed for their protection immediately in front of the locations, and close to the Caffre borders, (and until the late irruption was always continued there) had availed to protect them. The settlement being at the extreme boundary of the district, and projecting into Caffreland, afforded a ready means of intercourse with the natives, and to such an extent had the latter profited by this, that it was reported to me, towards the close of 1833, that a large number of Caffres, with their families and cattle, had actually taken up their residence within it. In addition to which, the valley of the Muncassanna, one of the tributaries of the Kat River, was still occupied on sufferance by the chief Tyalie's people, who at the period of Macomo's expulsion, in 1829, had been permitted to retain possession of it. From these quarters, then, the settlers were exposed to that systematic aggression of which they complained, and their progressive improvement, far from affording any additional check, only served to tempt the Caffres to a more wanton species of annoyance than they had hitherto practised; for they not only plundered the settlers of their cattle, sheep and horses, and occupied with their own herds the tract appropriated as grazing ground to the settlement, but constantly drove their cattle into the tillage grounds and gardens of the Hottentots. From this evil at least the colonial government felt that it was bound to relieve them, and in doing so it is right to add, that it only acted in strict conformity with the instructions of the Secretary of State. It was therefore decided to deprive Tyalie and his people of the indulgence they had so long enjoyed and so wantonly abused. This chief was, without any doubt, one of the most troublesome and turbulent amongst the whole of the Caffres, and it was well known that from no people had the colonists suffered more severely. In 1830 his conduct and that of his tribe had been to the last degree outrageous; as, however, he subsequently showed some contrition, and exerted himself in some cases to procure the restitution of stolen cattle, the governor, although frequently urged, as appears in the correspondence on the minutes, both by the commandant of the frontier and the commissioner-general to remove him, permitted him to remain; but he was warned, and which was over and over again repeated to him in the years 1831 and 1832, that if he persevered in depredation, and vexed and plundered the settlers, he would inevitably be driven from the colony. In the acting commissioner-general's reports of July 1833, there were many cases of this ruinous species of trespass reported; several depredations were at the same time committed; and the whole subject having undergone discussion, a very short time before Sir Lowry embarked for Europe (on the 10th of August), orders were transmitted to the civil commissioner and commandant to remove Tyalie and his people from the Muncassanna beyond the colonial boundaries. Finding that government had decided on this measure, Tyalie did not offer any resistance, or render the employment of the troops and burghers, who were in readiness to enforce compliance, necessary, but withdrew from the colony, and was placed behind what was erroneously supposed to be the boundary, viz. the "Gaga," one of the small periodical streams which have their source in a ridge of no great elevation, which commences where the Kat Berg terminates, runs thence parallel to the course of the Chumie and Keiskamma Rivers, as far as Somerset Mount, where it branches off to the westward, and encloses several other streams that run directly to the sea.

In order to understand correctly the subsequent proceedings in regard to the Caffres of Tyalie, Macomo and Boteman, it is absolutely necessary that the precise line of demarcation, that which was established at the conference between Lord Charles Somerset and Gaika on the 14th of October 1819, should be clearly ascertained. This line of boundary is thus described in the Government Gazette, a few days after the conference: "The left bank of the Chumie, to where it joins the Keiskamma, from thence to the sea, and the ridge of the Kat River hills, to where they join the chain of the Winterbergen, shall be the line of demarcation. from the spot at which that ridge touches the Chumie; so that the waters that fall from that ridge into the Chumie shall belong to Gaika, and those that fall into the Kat River shall appertain to the colony." And in the instructions to the commandant of the frontier, dated 17th October, it is stated to be "the Keiskamma from the sea, to where the Chumie falls into it, and the ridge of the Kat River hills from the Winterbergen to where they touch upon the Chumie." And again, in Lord Charles Somerset's despatch to the Secretary of State, dated October 15. 1819, it is thus defined: "It has been finally stipulated that the Caffre border shall in future be the ridge of the Kat River hills from the Winterbergen, to

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where that ridge joins the river Chumie, the Chumie itself to its junction with the Keiskamma, and from thence the Keiskamma to the sea." Now by a reference to the map it will appear that this is a very distinctly defined boundary, so long as it is marked upwards from the Keiskamma mouth by the water line of that river and the Chumie, and downwards from the Winterbergen by the ridge of the Kat River hills, but that as "that ridge," as it is called in the Gazette, or "the ridge of the Kat River hills," as it is designated in the instructions, nowhere "touches on the Chumie," there is one point in the centre of the boundary which, having neither water line nor mountain ridge to indicate it, is very liable to be misunderstood. The Committee will recollect that in his evidence, (page 81, Q. 965,) Captain Stockenstrom states, that in 1822, when the Caffres returned within the ceded territory and repossessed themselves of the upper sources of the Kat River, doubts arose as to the precise line in that quarter; that he was then directed to show the authorities in the engineer department the frontier, as he understood it to exist; and that he proceeded with Lieut. Pettingall, an officer in that corps, to the spot, and pointed it out to him. Now it so happened that when a question arose, at the period I am speaking of, in October 1833, as to what constituted the connecting link between the river and mountain boundary already described, and which it became essentially necessary, on removing the Caffres from the neighbourhood of the Hottentot locations to determine, Lieut. Pettingall was at Cape Town, and I requested him, as an officer perfectly acquainted with the localities, to point it out and trace it upon my map of the frontier, and that map I now submit to the Committee. Lieut. Pettingall informed me that it was not the "Gaga" stream, which falls into the Chumie at a place called the "Block Drift," and has its source, not in the Kat mountains, but in that ridge running parallel to the rivers which I have just described, but the next stream, the Corookokoo, above the "Gaga," which flowing directly from the Kat mountain, falls into the Chumie at the "Two Brothers Kraal," that formed the connexion in this part of the line. I must here remark, that it was very evident to me, on examining the map with an officer so perfectly acquainted with the subject as Lieut. Pettingall, why that upper stream was adopted, at a period when the complete exclusion of the Caffres from the ceded territory was intended, in preference to the Gaga. Had the Caffres, when Lord Charles Somerset conceded to them permission to retain the basin of the Chumie, been permitted to extend along the right bank of that river as far as the Gaga, and that thence the boundary was to ascend the left bank of the latter stream to its head, the completely open space which intervenes between that point and the one where the Kat Burg terminates would have afforded them the readiest access to the country from whence they had just been expelled; whereas by adopting as the boundary and confining them behind the upper stream, which, as already stated, runs directly from the Kat Mountain to the Chumie, they were, although badly shut out, yet as completely so as the nature of the country there would admit of. I shall only add on this subject, that when I visited the locations in October 1834, Mr. Thompson, the clergyman who had been missionary and government agent with the Caffres at the "Chumie" for some years, assured me that the upper stream was the true boundary; that behind it he found the Caffres when he first joined them; that Macomo and Tyalie were both perfectly aware that it was the boundary; and that he had himself pointed it out as such to Mr. Fairbairn on his visit to the frontier in company with Dr. Philip in 1830.

Having explained this point, I shall next proceed to state the grounds on which I deemed it necessary to direct, on the 11th of October, the further removal beyond the colonial boundaries of such of the Caffres as were residing within them northward of Fort Willshire. The removal of Tyalie from the Muncassanna, by the order of Sir Lowry Cole, was not effected until the middle of September; but once completed, I was under the impression, as I knew Sir Lowry Cole had been when he embarked, that there did not remain a Caffre north of Fort Willshire, with the exception of a small portion of Boteman's people, who could possibly molest or interfere with the Hottentot locations; and as the officer of the Kat River post was strictly enjoined to prevent them from re-occupying or approaching the Muncassanna, I was not a little surprised to learn that depredation continued, but most particularly so that the trespasses on the Hottentot corn lands and gardens were persevered in. On speaking on this subject with the officer of engineers already named, and also with another officer who had lately returned from the frontier, I discovered, to my great astonishment, that the chief Macomo had his kraal established not very far from Fort Willshire, and that his Caffres were in occupation of a considerable portion of the strip which, running

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northward towards the Kat Mountain, is inclosed between the river and the waggon road leading from the Chumie missionary station to the fort. It at once appeared to me evident that the protection Sir Lowry Cole had intended to afford the Hottentot locations by the late exclusion of Tyalie's people from the Muncassanna was not in the least degree attained, or likely to be so, so long as the Caffres remained in possession of the Gaga Valley and the tract alluded to; on the contrary, whilst Tyalie's Caffres occupied the Muncassanna as a matter of indulgence, their chiefs were held responsible for their conduct, and there was some sort of check upon their aggressions; but from the moment they were removed thence, all motive for repressing them ceased; also it was evident that to attempt to discriminate between the Caffres of the different chiefs was utterly impossible; Macomo had established his kraal on a portion of the country assigned by Sir Lowry Cole in 1829 to Boteman, (to this I shall allude hereafter); the Caffres of the chiefs were intermixed, and were almost in immediate contact with those of Tyalie in the Gaga valley; the head of the Gaga was within perhaps a mile of the source of the Muncassanna, an open pasture and lying between them; and thus the whole had as easy access to the Hottentot locations as when Tyalie occupied the latter. I therefore decided on placing the people of the latter behind the true boundary and on removing the others from the colonial territory; and I shall only add, that having in the following year personally inspected the country in question, I felt fully satisfied that the opinion I had adopted the year before was a correct one, namely, that it was absurd to pretend to protect the locations whilst the Caffres were permitted to occupy the country in question, and that it was an act of mercy to remove the latter from the temptations which must attach to their close proximity to the borders of the settlement. Being obliged to proceed with this explanation without having access to official documents, I shall here offer one example of the conduct of the Caffres at this period, from "a note of proceedings taken in the circuit court on the 11th of August 1834." William Sands, colour-sergeant in the Cape Mounted Rifle Corps, duly sworn, deposes: On the 27th of September 1833, I was sent on patrol with six rank and file of the Cape Mounted Rifle Corps to observe that the Caffres were not grazing within our territory; they were in the habit of doing so for some weeks, although repeatedly warned not to do so; I found cattle grazing within our boundary; I told my men to drive them to the post. I divided the cattle into two portions; one portion I and another soldier drove up a steep hill, where the path was very narrow, and it was very difficult to drive them; the remainder of the cattle was driven up by the remainder of the soldiers. When I got to the height, I left the cattle, and returned a part of the way down the mountain to assist in getting the remainder of the cattle up, but I returned back immediately, as I thought the Caffres were going to block the pass up at the top of the path. When I reached the top I saw a great number of Caffres standing on a rock, and some others rescued the cattle I had brought up, and were driving them away. Shortly after, the rest of the cattle were brought up the pass by the soldiers; we rested a little time there. I ordered the soldiers to mount and drive the cattle to the post; we had no sooner done so than the Caffres, between 300 and 400 in number, charged down from the rocks upon us, making a great noise and brandishing their assagais, and in the attitude of throwing them. Many of these Caffres came within a few yards of us, and were prevented from throwing them at us by our threatening to fire upon them. I ordered three men to drive the cattle, and I remained in the rear with the other three men to keep the Caffres back, who were pressing on the party. They followed us some miles, and to within 150 yards of the post. During this period of driving the cattle the Caffres made repeated charges upon us, coming close up to us with their assagais raised, as if about to be thrown. In all these charges the prisoner was conspicuous, urging the others on, and constantly putting himself in the attitude of throwing the assagai, and was prevented only by our people presenting their arms at him and threatening to shoot him. I considered that my life and the lives of the party with me were in great danger by the violence of this man and his companions. My men several times applied to me for leave to fire; but as I had strict orders not to fire unless assagais were thrown, I forbade them, otherwise I should have fired upon them." With regard to the chief Macomo, I have said that I was surprised to find that he was within the boundaries. It will be recollected that he was expelled by Sir Lowry Cole from the Kat River in 1829. Sir Lowry Cole's orders were positive, that he never should be permitted to re-enter the colony. He had also reported his proceedings on this occasion to the Secretary of State; and the latter, in his reply,

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directed "that none of the tribes beyond the boundaries should be permitted again to locate themselves in the ceded territory." When Sir Lowry Cole went to the frontier in 1829, and held the conference I have mentioned, the only chiefs he did not see were Macomo and Gaika; the latter was ill, and died shortly after, and Macomo would not attend, and Sir Lowry Cole never saw him at all. I am the more particular on this point, because there has been an impression on the minds of persons well informed upon frontier affairs that Sir Lowry Cole had seen Macomo living within the boundaries, and assented to his remaining. Sir Lowry never visited the frontier at all but at the period I am speaking of, in 1829, and the period at which it has been stated to me in a letter from the Cape, and upon very good authority, too, that Sir Lowry Cole saw Macomo there, was in 1830. Now Sir Lowry, I repeat, never was on the frontier but once, and then Macomo refused to attend the conference, and he never gave him permission to re-enter the colony. It has been stated to me by an officer who will be examined by the Committee, Colonel Cox, that Macomo was permitted to come into the colony in 1830 by Colonel Somerset; that he was sent by Colonel Somerset to Fort Beaufort to Colonel Cox, having entreated for permission to reside there near the barracks; that subsequently he was again removed; and I am aware that on more than one occasion representations were made to induce Sir Lowry Cole to give Macomo permission to come back, and to fix himself with a few followers at some distance within the boundaries; but, I repeat, he never did accede to that request. Now the fact as to Macomo's being in the colony I have reason to believe is this: that he was permitted by Colonel Somerset, who has been always exceedingly indulgent to the Caffres, to come in with a few followers in 1832, and that subsequently his people by degrees all followed him. The spot from which he was removed by my orders, in the year 1833, was part of the tract which Sir Lowry Cole had assigned to the chief Boteman when on the frontier in 1829; Boteman was exceedingly discontented at the portion allotted to him, and very shortly afterwards withdrew to the opposite side of the river; and I do not believe that he ever afterwards permanently resided within the boundaries, although a small portion of his people did so; not, however, a very great number of them. I shall here introduce a circumstance that occurred at the period before Macomo was removed by my orders, which will serve to show the Committee at once the insubordinate conduct of Macomo, and the improper interference of some of the missionaries with regard to these Caffre chiefs and their people. In October 1833, there was a missionary meeting held at the Kat River, at Mr. Reid's; Mr. Reid sent an invitation to Macomo to come to that meeting, although he knew very well that no Caffre was permitted to come into the colony without a pass; Macomo presented himself at the Kat River post with 20 Caffre followers, mounted, and requested the officer in command, Lieutenant Gardiner, to give him permission to go to the missionary meeting; Lieutenant Gardiner refused, having had the most positive orders that no Caffre should be permitted, under any pretence whatever, to go into the Kat settlement (it was very shortly after Tyalie's people had been removed from the Muncassanna); he therefore told Macomo that he could not give him permission; he was exceedingly dissatisfied, but withdrew with his people. It afterwards appeared, that at some distance from the post he turned into another road, through the Muncassanna, and so went to Mr. Reid's house, where he staid with 20 of his followers, for, I believe, two days, and was present at the missionary meeting. At last Lieutenant Gardiner, the officer at the post, discovered that he was in the settlement; he then sent a sergeant and party to make him prisoner and bring him away. If I mistake not, it was the evening of the second day that the sergeant arrived, just after they had set down to tea at Mr. Reid's. The sergeant is a perfectly well-conducted man; I saw him at the Kat River post, and inquired into the whole of the circumstances, when I was on that part of the frontier; for it had been asserted that he was drunk, and went on in a most brutal manner; that he seized Macomo, dragged him out, and carried him away; now I have the authority of the officer, Lieutenant Gardiner, for saying that the man was perfectly sober, and that he knows him to be a quiet and respectable sergeant; and from the inquiries I made on the spot, I must add, that I do not believe there is one tittle of truth in the statements that were published on that subject. The sergeant went to Mr. Reid's, found Macomo there, and brought him away to the post; Mr. Reid went with him to the post, and excused himself to the officer (who upbraided him for having a Caffre in the district, contrary to orders)

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orders) by saying he was not aware that Macomo ought to have had a pass. I have only discovered within these few days that the officer alluded to is in England. I wrote to him (although I had inquired into the circumstances myself when at Kat River) for an explanation of the circumstances, and his account, as far as it goes, corroborates what I had previously heard upon the subject.

2781*. Mr. *Johnstone.*] You wrote to Lieutenant Gardiner?—Yes. I beg to add here, that at this same period when I removed these people there were several depredations attributed, and I believe most justly so, by the authorities to the chief Enno and his people, occupying the narrow strip of country below Fort Willshire, between the Keiskamma and the waggon road; and that I was urged to remove him and them beyond the boundaries, but which I abstained from doing until a strong case should be made out against them, because I felt, at the distance to which they were removed from the locations, Fort Willshire interposing between their kraals and that settlement, there was a chance of curbing them, and preventing their intrusion; and if I mistake not, there will be found in the correspondence moved for by the Chairman an official letter (a private communication on the subject, both to the civil commissioner and commandant, I perfectly recollect), directing that Enno should be warned that a perseverance in depredation would inevitably lead to his removal at no distant date. I must add, that he is, without exception, I believe, the greatest scoundrel on the frontiers.

2782. Mr. *Johnston.*] In the proceedings with regard to Macomo's removal in 1833, did you consider the upper river, which you have mentioned to the Committee as being the proper boundary?—Certainly, I did. I have already explained that the chief Charlie and his people was removed from the Muncassanna by order of Sir Lowry Cole. His orders were that they should be placed beyond the colonial boundaries; they were placed, not beyond the colonial boundaries, but beyond what was erroneously supposed to be the colonial boundaries, the Gaga. The source, as I have stated, of the Gaga is within a mile of the source of the Muncassanna; therefore when I ascertained that depredations continued, I asked the officer of engineers to point out to me the exact boundaries, and he showed me that it was the upper stream and not the Gaga, and it was at once evident to me that as long as the Caffres occupied the Gaga the depredations could be easily accounted for, as they had only a mile of open ground to go over into the Muncassanna, and therefore I at once decided upon removing them behind the upper stream, above the Gaga.

2783. Did the officer give any reason for his inferring that this upper river was the proper boundary and not the Gaga?—I have already stated it was the same officer who was sent with Capt. Stockenstrom when a doubt arose as to the precise boundary in 1822. He had persons sent along with him to mark out and ascertain the boundary, and it happened fortunately that this same officer was in the year 1833 at Cape Town, and he traced the boundary himself upon that map, where the dotted line now is.

2784. *Chairman.*] Then having ascertained from Lieut. Pettingall, who surveyed the boundary, that an error had been committed, you considered that you were justified in removing the Caffres further to the eastward?—Yes. I must explain also, that this was the first time since 1823 that it had become necessary to ascertain the boundary in that direction, because the Caffres had been permitted to return to the colony "on sufferance," and that country had been occupied by them from that period. Macomo was expelled from the vallies of the Kat in 1829, but Charlie was still left in possession of the Muncassanna, and therefore it had not before become necessary to ascertain the precise boundary. Sir Lowry Cole left Charlie, certainly the most troublesome chief upon the frontier, on that stream, the Muncassanna, and as nothing at that moment was brought against him, permitted him to retain possession of it, although a tributary of the Kat River, where at the same time he located the Hottentots.

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## Annexure, No. 1.

SOME Account of the Expedition and Mission to the Eastward of the Colony of the Cape of Good Hope, to meet the Zoolah Chief Chaka; with Comments on certain Observations on that Expedition by Stephen Kay, Wesleyan Missionary, in his book, entitled, "Travels and Researches in Caffraria."

June 1828.—In the month of June 1828, in consequence of reports having reached the colony that Chaka had invaded the territory of the Caffre tribes, I received directions from

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the colonial government to proceed with an armed party of colonists to meet that chief, for the purpose of endeavouring to persuade him to relinquish the plans for subjugating the several tribes between his country and the colony which it was understood he had formed; to declare to him that it was the determination of the government to support those tribes in the possession of their country; and to threaten him with hostile measures in the event of his persevering in the attempt to carry those plans into effect.

July 10.—In pursuance of my orders, I collected a sufficient party, of above 50 colonists, and early in July I left Graham's Town. On the 10th day of our journey, after having passed through the Caffre country, and when among the Mambo tribe, I heard by a messenger from the front that the Zoolahs had retired from the banks of the Umgemvoolo River, and also that a horde of strangers, supposed to be Zoolahs, had passed that river about 30 miles northward of the course the Zoolahs had before taken. This intelligence determined me to halt the greater part of my people, and to allow them, with their horse, time to recover from the effects of the journey, which were beginning to appear in dysentery among the men, and loss of condition in the horses, and to proceed myself with three or four attendants about 80 miles farther, to see the Chief of the Amapontos, to whom it was desirable that the favourable intentions of the government towards them should be made known, and to witness the state to which the Zoolah depredations had reduced his people. Having made choice of a favourable situation for the bivouac of my party, I proceeded onwards, and after a journey of three days, passing over a country everywhere laid waste, I reached the kraal of Faako, the said chief, and found him in a state of almost utter destitution and despair. After remaining with him an hour, and hearing that though he knew that strangers were in the country north of him, he was not certain who they were, the spies whom he had sent not having returned, I lost no time in rejoining my party, which I did after a separation of six days; and, without further delay, I proceeded northwards to meet the Tambookie chief Vossanie, who had sent messengers to me to say that a vast horde had passed over the mountains (the Stormbergen), and were then destroying the country, and plundering and murdering his people. I joined him, after a three days' fatiguing march, passing over, during the last day, a depopulated country, whence all that could escape had fled, leaving their dwellings and property to the prey of the marauders. I had met many fugitives during my journey whose terrors were strongly marked, and who appeared to be in a state of great wretchedness and privation.

On my meeting with Vossanie he represented to me the condition of his plundered people, and said that the finest part of his country had been laid waste; that, so sudden and unexpected had been the attack made upon them, they were unable to drive off their cattle, and remove the corn with which (the harvest being just over) the kraals were full, and that famine was consequently to be apprehended; that many of his men had been killed in attempting to protect their property, and that great numbers of their women and children had been either murdered or carried off. This my observations on my journey had in great part verified, as the kraals in many places were still burning, and there were numerous bodies of the slaughtered inhabitants everywhere to be seen. The extent of country thus ravaged must have exceeded 600 square miles, and which the savages had selected as being the finest and most populous portion of the Tambookie territory, and consequently presenting the richest harvest for their cupidity. I learnt that spies had been sent among the enemy, who reported them to be very numerous, and that after collecting much cattle, they had united their forces and occupied very strong ground, backed by the mountains, where it was his (Vossanie's) intention to attack them. Messengers also had been sent, who stated them to be Monguanas, under Matuana, their chief; that they had been ill-treated and sent back by Matuana, who said that he, with his people, would remain in the Tambookie country until they had eaten up all the cattle. I learnt further that these were the same people who had made inroads into the country during the two previous years, and would now, it was apprehended, never leave it until the Tambookies were destroyed as a nation; that they had on this occasion entered the country from the mountains, and had moved to the attack of their victims simultaneously in four compact bodies, and had everywhere overpowered this people.

Under the circumstances above detailed, I recommended him to collect all his men, which, having made previous arrangements for that purpose, he did the following day, and a body of 6,000 (the most extraordinary armed force that could be well imagined) moved forward. I myself, with 20 men of my party, accompanied them, intending to assist, in the event of that being necessary.

On descending into the plains near the embouchures of the "Umtäta River," where its several sources leave the mountains and afterwards unite, the whole country, for miles around, appeared alive with cattle, which were being driven towards the kloofs and woods on the mountain side, and could only be intercepted by moving my mounted party quickly forward. This I did; and the cattle of which the Tambookies had been plundered were recovered by them and driven off.

In thus affording assistance to the Tambookies, I felt that the circumstances of the case fully justified me. During the two previous years military movements had been made from the colony to repress these same invaders; and so important did General Bourke consider the last of these commandos, that he himself came to the frontier to direct, if needful, its movements. They had, however, retired before his arrival, and the party sent in search returned without coming up with them.

The opportunity of giving the marauders a lesson offering itself on this occasion, I did not hesitate in availing myself of it, more particularly as I could thereby assist a depressed tribe, with which the colony had always been in friendly relation, and show to those savages that

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that the Tambookies would be protected from their attacks, and also impart confidence to the latter in the attempt they were about to make for the recovery of their lost property and country.

I feel confident that the facts I have stated fully justify me in having given the needed assistance; for not only did I at the time restore comparative peace and confidence to the alarmed natives, but I prevented their being driven in upon the colony, and producing thereby a repetition of those evils to which the colonists on the frontier had been subjected the previous year. And, I am sure, that had I not afforded the countenance and help I did, so dreaded was the very name of the Ficane, from their cruel, sanguinary and relentless character, the Tambookies would not have dared to attempt their expulsion.

It was fully my intention to have sought an interview with Matuana, the Monguana chief, but I considered that had I done so previous to the attack, time would thereby have been given to him to secure the captured cattle in the fortresses of the mountains; and the great object I had in view in giving assistance would have been lost sight of; and when towards evening the Ficane had retired, that was impossible, or rather hazardous, as after the recapture of the cattle not a Tambookie was to be seen, and I was left with my own small party alone upon the ground, who were too few in number, and too near an exasperated enemy, to justify my running any risk of being attacked during the night, which was just then setting in. In the course of the day two young Tambookie girls, who had been taken by the Monguanas, and had escaped during the confusion of the encounter, came towards my party, and by them I was misled into the belief that the enemies were Chaka's people, and, under that delusion, my letter to the colonial secretary, reporting in detail the circumstances and occurrences of the expedition was written, which will account for the apparent inconsistency of acting hostilely, and without previous conference, against a people I was sent to negotiate with, when I had in reality planned to assist in an attack upon, and did attack, another and a different body of no less restless and resolute marauders who had already occasioned much trouble to the colony.

The foregoing is a correct, and I trust clear account of everything that occurred as far as I and my party were concerned in this expedition. My reasons for affording assistance, I have briefly stated, and the many individuals who were with me on the occasion would bear evidence that I have in no way misrepresented the facts; but Mr. Kay attempts to throw the whole odium or blame of the contest between the two tribes upon me, and pretty plainly points me out as the cause of the commando which afterwards assailed the same tribe. For what reason this missionary has, in giving to the world his account, carefully kept from view the irruption of the Monguanas on this and former occasions, the destruction of the Tambookie kraals, the murder of the people, and the forcible occupation of the country, and stating the Tambookies after this to be the promoters of the war, I really am at a loss to comprehend. I am equally astonished at his false and barefaced assertions, assertions which I never, while I remained in the country, heard made, "That the cattle taken from the Monguanas by the Tambookies had not been their property originally, but were their own, and that afterwards all those cattle had been retaken by the Monguanas," which last act of those people "gave rise to a hue and cry, which put the whole of Caffreland into commotion, and the colony itself was supposed to be in danger."

In defending my own conduct from the aspersions of Mr. Kay, I do not wish to involve any question respecting the commando which entered the country under Lieut.-colonel Somerset, and therefore satisfy myself with again affirming, that his statement is throughout most false, and, in my opinion, intentionally so. I say intentionally, because he must have known what everybody else did, or if there were any differing accounts current, he, previous to writing, might have procured correct information from the Wesleyan missionary, Shrewsbury, an upright and honourable gentleman, who resided at the time near the disturbed spot, and knew well that the aggressors, who Mr. Kay calls Monguana and his herdsmen, were not the innocents he would wish to represent. From Mr. Shrewsbury I had, both verbally and in writing, his thanks and those of his brethren for the part I had taken, for the protection to himself and missionary property I had afforded, and, to use his own words, "for the humanity displayed in effecting a great good without unnecessary sacrifice of life."

Mr. Kay himself allows that the Monguanas were the remains of a part of the tribe which had depopulated and laid waste the whole of the Bechuana country, and he describes them as of "far more ferocious character than the Caffres." "The Zoolahs and Mantatees (*i. e.* Monguanas,) rushing on to combat in dense masses, with stabbing spear and war club, and destroying the hordes overpowered by them, root and branch." What, I may ask, could be done with such, as he describes them to be, who had entered a peaceful country as aggressors? I knew well their character. I had had afflicting and revolting evidence of their cruelty, and of the misery which for years before they had occasioned to the tribes around; I knew that being bereft of their own country by Chaka, they had, under Matatusee (hence the name of Matatees, as applied to this people), the father of Matuana, gone forth, to gratify their revenge, and satisfy their wants, and, as they themselves had been destroyed, as the destroyers of their weaker neighbours; and that when all the plunder they had taken from the Bechuana tribes was consumed, they, year after year, crossed the mountains, on the north of which they had fixed themselves, and where their old and infirm people remained, and came down upon the Tambookies to plunder them also; and knowing all this, how could I be justified in withholding the assistance Vossanie required at my hands?

*W. B. Dundas,*
Brevet Major, Royal Artillery.

Woolwich, 17 March 1834.

## Annexure, No. 2.

Colonial Office, Cape of Good Hope, 29 Sept. 1828.

*Colonel Wade.*

21 March 1836.

It having appeared to government that considerable advantage may be derived from the settlement of Hottentot families on vacant government lands, situated in the vicinity of towns and villages, where they may enjoy the protection of a civil magistrate, the commissioner-general's attention is directed to the accomplishment of this object, and he is desired to point out, after due investigation, such places as he may deem most fitted for the purpose. It is not improbable that some of those farms which were lately occupied by the landdrost, or *parts* of such farms, may be found to be well adapted for such settlements; there is likewise a considerable extent of ground near Swellendam which may be converted to this purpose.

The plan on which it is proposed to encourage these settlements is as follows:

1st. That small erven, not exceeding one morgen each, be granted to the heads of families *rent-free* for the first three years, on condition that the same be substantially enclosed, and a house of such dimensions as may be determined on (as a minimum) be built thereon, in stone or brick, within that period.

2d. That these conditions being fulfilled, the erven should be granted on perpetual quit-rent, at one shilling and sixpence per annum.

3d. That on failure to fulfil the conditions within three years, the erven shall be resumed.

4th. That to each settlement a portion of grazing ground should be allowed as commonage, calculating upon one or two milch cows, or the equivalent number of goats, for each erf.

5th. That the distribution of water should be regulated, but conducted at the expense of the occupiers of erven.

By the proposed plan, each head of family, whether white person or Hottentot, would command a supply of milk and vegetables for its use, while his subsistence would chiefly depend on *his daily labour*, either in agriculture with the neighbouring farmers, or as a mechanic.

In Albany, or the other frontier districts, means may possibly be found for locating, in this manner, many of those men who have been discharged from the Cape Corps, and perhaps a part of the landdrost's farm near Graham's Town might be appropriated for the purpose.

The commissioner-general will report on such positions as may seem to him favourable for these settlements with as little delay as possible after each inspection, in order that government should reserve in its hands the means of proceeding on the proposed plan, either now or hereafter.

By command of his Excellency, the Governor,
(signed) *John Bell.*

## Annexure, No. 3.

Sir, Cape Town, 13 Dec. 1828.

Having given the fullest consideration to the subject contained in the Memorandum issued for me from your office on the 29th September last, I beg leave to observe, that the settlement of the Hottentots and their gradual advancement generally to a state of agriculturists, having long occupied my attention, I am prepared to say that their assemblage in villages near towns, or even remote therefrom, will not be found to answer the desired object. The Hottentots, in their present condition, have not sufficient check upon themselves to withstand the temptations afforded by the ease with which strong liquor is to be procured; where bodies of men are congregated in or near the proposed villages, shops for the retail of such liquor would be opened, every disposable article would be turned into money for the purchase thereof, the conditions of the grants would not be complied with, the grants would consequently be cancelled, and the inhabitants dispersed, farther removed from civilization than when they were collected. It strikes me that all laws which kept the Hottentots, as to their political rights, beneath other classes of His Majesty's free subjects in this colony having been abolished, no extraordinary measures towards forcing their advancement can be necessary; on the contrary, these can only retard their real improvement, by turning things out of their natural course. Villages and towns should be left to create themselves, as the improvement of trade induces people to settle in compact numbers, and there are few places in the colony where even the *industrious* Hottentot would find a ready market for the surplus produce of erf. I would therefore recommend that, in the granting of lands, the Hottentots be put upon an equal footing with the other colonists; that where they can prove themselves capable of stocking or cultivating a farm, a proportionate quantity of land be ceded to them, allowing them a reasonable term for the payment of expenses of survey, &c. and improvement of the place.

I have, in my letter of the 22d ultimo, attempted to point out the necessity of the occupation of the whole of the ceded territory; in it I should propose settling as many Hottentots (indiscriminately together with other colonists,) as can be found, with sufficient character, recommendation and property, or assistance of others, to be set up as eraziers or agriculturists. The grants should be as small as the water and other localities will admit of, in order to secure a dense population, and the greater strength. Among the discharged soldiers of the Cape Corps at the missionary institutions, and in various other parts of the colony, many fit subjects of the above description can be found, and I feel confident that no better defence against the Caffres (in case of necessity) does exist than such a community of Hottentots, attached to the soil by the right of property would be.

I have, &c.
(signed) *A. Stockenstrom.*

*Veneris, 25° die Martii,* 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Hindley. |
| Mr. Charles Lushington. | Mr. Wilson. |
| Mr. Bagshaw. | |

MR. FOWELL BUXTON, IN THE CHAIR.

*Colonel Wade,* called in; and further Examined.

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2785. *Chairman.*] WILL you proceed with your statement?—Before I do so, I wish to state, that I have received some letters in reply to communications I sent to the Cape of Good Hope, transmitting, by permission of the Committee, copies of the evidence taken before it during last session. One of them is from the commandant of the frontier, Colonel Somerset, and on his part I have to say, that he would before now have forwarded to me depositions on oath respecting several parts of the evidence that has been given before this Committee, if he had not been confined to his bed for upwards of six weeks, after the receipt of my letter, by an attack of erysipelas; he has, therefore, only at the present moment written a letter to me, dated the "8th of January," requesting that I would state this to the Committee, and that he will transmit forthwith depositions touching the evidence which has been given, in so far as it relates to himself. In his letter, he says—

"I have only this further to say, that every act of mine is open to, and I request may have the fullest, investigation. I have nothing to conceal; I always exerted myself to execute, to the best of my ability, the duties entrusted to me; and my letter to Mr. Hay, written in the summer of 1833, in England, will show how far my views coincided with those of the late governor, Sir Lowry Cole. I can only this week send you the copies of two letters and one statement, made by the Rev. Mr. Chalmers, on the subject of Lieutenant Sparkes and Lieutenant Austin's patrol; next week I hope to send you copies of many other important documents, as well as copies of the affidavits of the farmers relative to Captain Stockenstrom's allegations."

The next letter that I shall communicate to the Committee is from the civil commissioner of Albany, Captain Campbell, dated the 8th of January, in which he states—

"In Captain Stockenstrom's letter of the 31st of August, 1831, on the minutes, a charge is brought forward against Field-cornet Erasmus, in the following words: 'Erasmus, in joining the main body, reported that he had been ferociously attacked by Zeko and his people, and that the chief and seven other Caffres had been killed in the rencontre. This was believed, and so reported to you, (to the governor); and the Caffre cattle were disposed of, as had been threatened; but it now transpires that Zeko and six of his men were murdered in cold blood, and another Caffre severely wounded.' This charge is repeated," Captain Campbell adds, "in the 'Memoir,' dated London, 31st December 1833, and still more elaborately in the evidence taken before the Committee, commencing at question 986, and ending at 1002. Had the commissioner-general made a communication to me, the civil commissioner of the district, on this subject, it is most certain that I should have investigated the matters at the time, and confronted all the parties. A short time before the date of Captain Stockenstrom's Memoir, namely in August 1833, one of the Glasgow missionaries reported to me that a Caffre, named Chala, complained of having been unjustly deprived of 25 head of cattle, three or four years previously, by a farmer named Nel. As soon as I could discover the residence of Nel, I immediately placed the case in the hands of a law agent, who summoned all the Caffres who could give evidence, and the case was tried at the circuit court here, before the chief justice of the colony, in October 1833, and the farmer was acquitted on Caffre evidence. I may add, that I took the whole responsibility upon myself on that occasion, entering into a bond to pay all the legal expenses in the event of the Caffre chief losing the cause, which I accordingly did pay, and which was afterwards returned to me by the government, who approved of the whole of my proceeding. I mention this only to show that if Captain Stockenstrom had communicated with me upon the subject, a most scrutinizing investigation would immediately have been instituted, and the matter sifted to the

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bottom. However, although I cannot but regret that an opportunity was not afforded me to inquire into the subject immediately after its occurrence, and when all the parties interested could have been confronted, still I felt it incumbent upon me to institute a public examination now, late as it is, to collect the best information that can be obtained. I am now proceeding in this inquiry, and I send you a copy of the examination as far as I have gone: you will find among them the depositions of the Hottentot, Boesak Tamboer, who had been with the division under Erasmus; and as he was examined by Captain Stockenstrom at a subsequent period, I conceive he must be one of the Hottentots alluded to in his reply to question 991.

The next document, then, which I take the liberty of producing to the Committee contains the depositions, above alluded to, of six or seven persons who were employed on the commando in 1831, under Erasmus, on the occasion when the Caffre chief Zeko was killed; and I beg to say, that I have deemed it necessary to bring this matter immediately before the Committee, before proceeding with my own statement, as Captain Stockenstrom is, I am aware, about to leave the country, and I think it is right he should know that such documents have been sent, and that they are to be followed by many others upon the same subject, and also by others touching other parts of his evidence. These are the depositions;

District of Albany. At Graham's Town, upon the 6th day of January 1836, before us, Duncan Campbell, Esq., resident magistrate for the district of Albany, and Henry Ball Rutherfoord, Esq., justice of the peace for the same district, appeared *Hans Jurgen Lombaard*, residing at Jordaan's kraal, in the field-cornetcy of Fish River, in the district of Albany, about three hours from Graham's Town, who being duly sworn, deposes: I was a provisional field-cornet in the year 1830, and am still; I was on the commando under the direction of the field-cornet Rasmus Erasmus, in the month of June 1830; I joined him at Fort Beaufort. I was directed to proceed to that place by Capt. Stockenstrom, the commissioner-general, who said he would meet me there. When the whole of the civil force was assembled at Fort Beaufort, we proceeded to Fort Willshire, when Capt. Stockenstrom, in my presence, directed Field-cornet Erasmus, who had the superintendence, to proceed to the Kraals of Zeko and Gebeco, and to bring away all their cattle, and if any resistance was made, and assagais thrown, we were to fire upon them. He added, "Burghers, do not let the black fellows get the better of you." We proceeded to the kraal of Zeko, which we reached early the following morning: we found a small number of cattle near the kraal, the Caffres having driven all their cattle out of the kraal when they saw us approaching, which we took. I went away with a small party of burghers to collect some more cattle, which we found concealed in a wooded ravine close by, and brought them to Erasmus when he was upon his return from the kraal; there were many colonial cattle among them, some of whom had brand marks, and many of the others which were not branded were identified by some of the farmers who were with me. When at some distance from the kraal, I saw a Caffre and Erasmus apparently in conversation, and I afterwards saw the latter turning out of the general herd a number of cows, which were left at Zeko's kraal; there was no resistance made, and no violence offered by any of the civil force; we then drove the cattle away towards the colony. When I joined Erasmus with the cattle I found in the wooded ravine, there were four or five unarmed Caffres following him, but not assisting to drive the cattle. Shortly after a great number of Caffres came up to us, armed with assagais, and some with two bundles of assagais. I spoke to the field-cornet Erasmus, and asked him if he noticed the great number of Caffres that were armed, and I added that it was quite evident they intended to endeavour to rescue the cattle. Erasmus said he perceived it, and was also of opinion that they would make the attempt. The country became here wooded, and the Caffres passed us to a wooded neck of land, through which we had to pass. When the advanced portion of the cattle entered the neck, the body of Caffres there gave a loud, peculiar shrill whistle, accompanied by shouts, which drove the cattle back upon us with great violence. As the cattle were rushing upon us I heard some of the burghers calling, "the Caffres are throwing at us," meaning they are throwing assagais at us, and immediately afterwards I heard shots fired. I was in the rear of the party, and the firing of the shots was in front; it was the work of an instant. I did not see any assagais thrown, but I saw the burghers pick up some of those that were thrown. I saw one Caffre that was shot; I do not know if there were more. None of the burghers were wounded. Field-cornet Erasmus was in the rear with me when this occurrence took place; we were obliged to take shelter behind a bush to avoid being trampled down by the cattle; when the Caffres turned the cattle upon us great confusion suddenly ensued, and men and cattle were mixed together. Erasmus gave no orders to the party either to fire or do anything else; it was so sudden that there was no time to give orders had he been so disposed; and as soon as the confusion had subsided a little, Erasmus ordered the cattle to be collected together, which we did, and brought the cattle to Fort Willshire. The Caffres disappeared after the firing, and we were not again molested on our journey. I do not know who the person was that fired; I believe that the provisional field-cornet, Daniel Petrus de Lange, was in front. I was not personally acquainted with Zeko, and I cannot say that he was the Caffre that I saw lying dead. On our arrival at Fort Willshire, a considerable portion of the cattle taken from Zeko was returned by Erasmus to the Caffres, who had come there for them; these Caffres were ordered to go into the enclosure where the cattle were, and to turn out all

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that were Caffre cattle, which they did; and at length they began to turn out as such colonial cattle, with brand marks upon them, upon which Field-cornet Erasmus interfered, and prevented them. The chief Tyali was with the Caffres, and he himself turned out the cattle from the enclosure, while Erasmus stood at the gate. When I went in pursuit of the cattle, from Zeko's kraal, it was because I had cattle driven from that kraal to the wooded ravine, where I found them; it struck me that they were stolen cattle; the distance from Zeko's kraal to the place where the Caffres turned the cattle upon us was about an hour and a half on foot. Three or four days after this occurrence I and the greater part of the commando were ordered to Buffalo River, to meet Capt. Stockenstrom and Colonel Somerset. He, Captain Stockenstrom, examined me as to the circumstances which occurred when we were taking the cattle from Zeko's kraal to Fort Willshire, and I briefly related the substance of what I have this day said, and he expressed his approbation of our conduct. He said, "you have done right." Captain Stockenstrom did not at any subsequent period question me on the subject; nor did I ever hear until to-day that Erasmus, or any other of the party, was charged with "having murdered Zeko and his people in cold blood," or with any other improper conduct on that commando. The five unarmed Caffres that I spoke of as being with Erasmus were in the rear when the cattle were turned upon us.

(signed) *H. J Lombaard.*

(signed) *D. Campbell,* Civil Commissioner and Resident Magistrate for Albany and Somerset.

(signed) *H. B. Rutherfoord,* J.P.

(A true copy.) *D. Campbell,*
Civil Commissioner and Resident Magistrate
for Albany and Somerset.

2786. Mr. *Hindley.*] Are the questions which were put to the witness left out, and his answers arranged consecutively?—I take for granted that it is so; they appear to be depositions drawn up from the answers to questions that were put to the witnesses; I have not the slightest doubt that it is so.

2787. Are the depositions signed by the persons giving evidence?—They are signed by the several witnesses, and certified as true copies by the magistrate before whom they were taken.

*David Petrus de Lange,* residing at Groen Draag, in the field-cornetcy of Koenap, in the district of Albany, agriculturist, duly sworn, deposes: I was a provisional field-cornet in the year 1830. I was with a commando that went to Zeko's kraal in the month of June 1830; the commando was under the orders of the Field-cornet Petrus Erasmus; Erasmus now present. We assembled at Fort Beaufort, and from thence we proceeded to Fort Willshire; at the latter place we found Captain Stockenstrom, the commissioner-general, and Lieutenant-colonel Henry Somerset, the commandant of Caffraria. They assembled the field-cornets; and I heard Captain Stockenstrom order Field-cornet Erasmus to proceed to the kraal of Zeko and Gebeco, and to seize all the cattle they could find there; that if the Caffres resisted, or threatened to attack him with their assagais, he was to fire upon them. We proceeded from Fort Willshire, and reached Zeko's kraal about eight o'clock the following morning. Zeko and his people saw us approaching, and drove out their cattle into the thickets near their kraal. We collected them together, and Zeko made his appearance at some distance from where we were. Erasmus and I went to him. Zeko requested that we would leave his milch cows with him, which Erasmus assented to, and allowed him to take them from the herd. After having taken all his milch cows he was then taking other cattle, which Erasmus prevented, and explained the orders which he had received from Captain Stockenstrom; and if he wanted more cattle he must come with him to that officer, which Zeko said he would do. We proceeded on our way to Fort Willshire, and Zeko and some of his men overtook us shortly afterwards; they were not armed; but we had not proceeded far when we found a multitude of armed Caffres about us. We sent to them to say that they must not approach with arms, but they returned no answer, and their numbers kept increasing. Having proceeded in this manner upwards of an hour, a party of these armed Caffres went in advance of the cattle; they whistled and shouted, and turned the cattle, and drove them upon us with great violence. We were obliged to get out of the way to prevent our being trodden down. All was confusion; the cattle, burghers and Caffres all mixed together. The Caffres separated two parcels of the cattle that I saw from the herd, and hurried them over a ridge that was close by, and carried them off. During the confusion, Philip Kock, one of my men, called to me, and said, "the Caffres are throwing assagais at us;" I then said, "Fire, and recover the cattle." I galloped up with my people, and they fired some shots at the Caffres, and then went after the two parcels of cattle that I have already spoken of, and overtook them on the other side of the ridge, and brought them back. The Caffres succeeded in carrying off some portion of cattle, but not in the direction where I recovered the two parcels spoken of. There were six or seven Caffres killed by the discharge of fire-arms, all of whom had assagais in their hands: Zeko was one of them. I saw Zeko fall, and I am positive he had his assagais when he fell; he must have got them from some of the armed Caffres who joined us on the road. There was a cloud of dust raised by the cattle and horses, which prevented my seeing what was going on; but when Kock called out, they are throwing assagais at us, I saw Gert Scheepers alight and pick up an assagai which was thrown. There were so

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many Caffres around us, and they are so dexterous in driving cattle, that it would have been impossible for us to have retained possession of them had we not intimidated them by firing upon them. We could not have executed the orders we received, to bring these cattle away, had we not repelled by this means the attempt that was made to take them from us. We could not, with safety to ourselves, have attempted to drive the cattle any further without repelling the Caffres, whose numbers were always increasing. Before quitting Zeko's kraal, Erasmus explained to that chief, and directed him to make known to his people, the orders he had received from Captain Stockenstrom to fire upon the Caffres if they made resistance. After firing upon the Caffres they did not approach close to us again, but they followed us in great numbers, and kept upon the heights, as if looking for another opportunity to rescue the cattle. In this way they followed us until dark, and until we got near Fort Willshire. We left the cattle at Fort Willshire, and Erasmus and I, and several others, went to Buffalo River, to report to Captain Stockenstrom, who examined me, respecting what had occurred when we were driving the cattle from Zeko's kraal. I related the circumstances to him precisely as I have told now; he said, "You have acted very properly; it is a pity you did not shoot more of them." Captain Stockenstrom ordered Erasmus to deliver up to the chief Tyalie some of the cattle which we had taken, and which Tyalie was to identify. Tyalie was accordingly admitted into the enclosure where the cattle were, and he drove out cattle until a dispute arose about his driving out cattle which were known to have been stolen from the colony. Erasmus told Tyalie he was not to take out colonial cattle, upon which he got displeased, and would not drive out any more. The remainder of the cattle were brought to Graham's Town, and delivered up to the civil commissioner, who distributed them among the persons whose cattle had been stolen by the Caffres during the preceding year. I received seventeen head as my proportion for upwards of seventy head that had been taken from me during the same year; the other claimants received in the same proportion as I did. Captain Stockenstrom never made any inquiry of me as to the circumstances that occurred at the death of Zeko, after the report that Erasmus and myself made to him at the Buffalo. I received the orders to join the commando from Captain Stockenstrom, the commissioner-general. When the commissioner-general gave his orders at Fort Willshire to Erasmus, in the presence of the other field-cornets, he spoke in the Dutch language: he said, we were to take Zeko and Gebeco's cattle: he said nothing about taking only the cattle from their kraals which could be sworn to as colonial property; and I am positive that his orders were that we were to fire on the Caffres in the event of resistance.

(signed) *David Petrus De Lange.*

(signed) *D. Campbell,* Civil Commissioner and Resident Magistrate for Albany and Somerset.

(signed) *H. B. Rutherfoord,* J.P.

(A true copy.) *D. Campbell,*
Civil Commissioner and Resident Magistrate for Albany and Somerset.

7th January 1836. *David Petrus De Lange* recalled and examined. When Zeko was shot he was with the Caffres, and he was in the act of driving the cattle away and running when he fell. When Zeko fell I did not know that it was him, I only ascertained afterwards that it was him when I saw him lying dead on the ground. The following extract from Captain Stockenstrom's Memoir being read to the witness, viz. "For which atrocious act, the shooting of Zeko and the other Caffres, there could have been no reason except to find a plea for seizing Caffre cattle, contrary to my orders," he deposes it is not true; the cattle were already seized, and that by his own orders. Field-cornet Erasmus had that morning ordered his men not to fire upon the Caffres unless they attacked them with their assagais. I did not communicate with Erasmus before I gave the order to fire; the attack was so sudden, and the confusion so great, that there was no time to go to Erasmus, or even to ascertain where he was; besides, I forgot to mention before that my attendant, a Bechuana, who understands the Caffre language, and who was riding a little behind me, pushed up his horse close to me, and said, "Master, the Caffres who are behind are calling to those in front to drive the cattle upon us, and then to stab us and take the cattle away from us." I said to him, "We cannot do anything, they must begin first." Shortly afterwards Kock, as I have already stated, called out to me that the Caffres were throwing assagais at us, and it was then I ordered the men to fire.

(signed) *David Petrus De Lange.*

(signed) *D. Campbell,* C. C. and R. M. for Albany and Somerset.
*H. B. Rutherfoord,* J.P.

(A true copy of the original.)
*D. Campbell,* C. C. and R. M.

*Boesak Tamboer,* a Hottentot, residing with Cornelius Van der Nest, agriculturist at Bosch Fontein, field-cornetcy of Glen Lynden, district of Somerset, duly sworn, deposes: I was in the service of Field-cornet Erasmus, and accompanied him when he went on an expedition to Zeko's kraal, about five years ago; we left Fort Willshire and arrived early the next morning close to Zeko's kraal, where we off-saddled to rest the horses; my master there explained to the burghers the orders he had received from Captain Stockenstrom, and said further that none was to fire unless the Caffres drew their assagais. We then proceeded to Zeko's kraal, and collected together the cattle: Zeko sent a Caffre to ask for some milch cows; Erasmus said he had no orders from Captain Stockenstrom to give them; the Caffre went away,

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away, and came again and said that Zeko said that the calves would die if the cows were not given up to him; upon which Erasmus then told the Caffre to drive them out, which he did, and drove them away toward Zeko's kraal. We then proceeded on with the cattle towards the colony; several Caffres went with us, for the purpose of showing us the nearest way, and helping us to drive the cattle; these Caffres all had keries, some one and some two. On looking round, I saw a great number of armed Caffres following at about a distance from here to the mill, (about 700 or 800 yards); the Caffres that were with us led us into a place towards a neck of land, where the country was covered with large thorns and bushes; I asked the interpreter, Wynand Bezuidenhout, what the Caffres were saying; he said that they said they were showing us the nearest road. All at once I heard the Caffres whistle and shout, and the cattle instantly rushed back upon us; the rush was so sudden, and there was so much noise and dust, that I could scarcely see what was going on. Erasmus pulled up his horse and got behind a gorrah bush, and I followed him, to prevent our being trampled upon by the cattle. Erasmus took his gun, which I carried, and held it ready on his thigh; I then saw the cattle rush violently past us, and the whistling and shouting, with which the Caffres drive cattle, continued. It appeared to me at the time as if some of the Caffres had got in front and had driven the cattle back upon us. I only saw one Caffre, and he was running in among the thickest of the cattle; just at this time I heard some shots fired to the right; the freshest and best of the cattle galloped violently past, and returned the same road we came; the remainder stood still, as if they had been stopped. When Erasmus and I rode out from behind the bush, we drove such cattle as were near us towards the rest of the party. Erasmus then got the people together, and immediately inquired what was the matter? who had been firing? and for what reason? and I heard some of the party say that they fired because the Caffres had thrown at them. I do not know what became of the Caffres who came to show the way; when the attack was made upon us they disappeared, and I only saw one of them running in the midst of the cattle that were driven back, as I have already stated. We then collected the cattle, and drove them to Fort Willshire. When the firing was over, I saw several of the after-riders have assagais in their hands, which they said they had picked up. Some time afterwards, it may be a month or more after the occurrence, a Hottentot came on foot to Erasmus's place, where I was, and took me to Captain Stockenstrom, who was then at the Kaga post. Captain Stockenstrom examined me as to the circumstance which occurred after we had left Zeko's kraal, and I related to him the circumstances as I have done to-day.

(signed) *Boesack* his × mark. *Tamboer.*

(signed) *J. H. B. Wanand,* *Geo. Jarvis,* } Witnesses.

(signed) *D. Campbell,* Civ. Com. and Reg. Mag. for Albany and Somerset.
*H. B. Rutherfoord,* J. P.

(A true copy.) *D. Campbell,*
Civil Commissioner and Resident Magistrate for Albany and Somerset.

(Marked No. 1.)

*Theunis Jacobus Botha,* residing at the Koenap Poort, in the field-cornetcy of East Riet River, district of Somerset, provisional field-cornet, duly sworn, deposes: In the month of June 1830, I received a letter, dated 8th of June 1830, and signed A. Stockenstrom, requiring me to assemble a party of burghers, and to proceed with them on the 15th of the same month to Fort Willshire, which I accordingly did; on reaching Fort Willshire Captain Stockenstrom, the commissioner-general, and Lieutenant-colonel Somerset, ordered Erasmus to proceed with his men to the kraals of Zeko and Genecho, and if there were colonial cattle there to bring them, as well as the Caffre cattle, to Fort Willshire. I accompanied Erasmus to Zeko's kraal, where we found a number of colonial cattle amongst those belonging to Zeko and his people. Erasmus permitted Zeko, at his own request, to keep the milch cows, and told him that he must go to Fort Willshire, to Captain Stockenstrom, before he could get the rest of his cattle. Erasmus also cautioned Zeko not to allow his people to offer resistance, as his orders were to fire upon them if they did so. We then proceeded with the cattle towards Fort Willshire; we had proceeded about an hour from Zeko's kraal, and were passing through a bushy part of the country covered with mimosas; there were about 2,000 head of cattle, and they formed a long line; I was in the centre of them, and could see neither what was going on in front or in the rear. I saw some Caffres armed with assagais to my left, going towards the cattle, and when they saw me they concealed themselves behind a bush, and very shortly afterwards I heard a loud whistling and shouting in front, and the cattle was turned upon us, and a great confusion ensued; I heard shots fired immediately afterwards; I do not know what resulted from the firing; the cattle were much scattered by this attack. I went with my people to collect them together, and after they were collected we proceeded on with the cattle to Fort Willshire. Four or five days afterwards I was present at Fort Willshire, when Captain Stockenstrom, discussing this matter with Erasmus, made the observation that we ought to have shot more of the Caffres. I saw a bundle of assagais in the hand of John Grayling, now dead, immediately after the shots were fired, and which he told me he had taken from Zeko, whom he had shot.

(signed) *T. J. Botha.*

(signed) *D. Campbell,* C.C. and Res. Mag. for Albany and Somerset.
*H. B. Rutherfoord,* J. P.

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Before Duncan Campbell, Esq. resident magistrate for Albany, *Wynand Jacobus Bezuydenhout*, residing at New Year's River, in the field-cornetcy of Fish River, district of Albany, agriculturist, duly sworn, deposes: I was with Field-cornet Erasmus on commando at Zeko's kraal in the month of June 1830. At Fort Willshire I heard Captain Stockenstrom order Erasmus to proceed to Zeko and Genecho's kraal, and to take all their cattle, and if the Caffres offered to resist they were to fire upon them. On reaching Zeko's kraal Erasmus explained to Zeko the object of his coming there, and cautioned him to restrain his people from offering any resistance, as he, Erasmus, had received orders to fire upon them if they did so. After we had collected the cattle together, Erasmus allowed Zeko to take his milch cows, but as he attempted to take other cattle also we drove away the cattle, taking some of the milch cows with us, Erasmus telling him at the same time that he had not the power of giving more cattle, and if he wanted more he must go to Captain Stockenstrom, who was at Fort Willshire. After we had gone a little way from Zeko's kraal he followed and overtook us, and Erasmus gave him the remainder of the cows, and we then went on towards Fort Willshire with the remainder of the cattle, being a very large herd. When we had travelled about an hour from Zeko's kraal, and were passing through a part of the country covered with thorn bushes, the cattle were suddenly turned upon us by the Caffres, and a great noise and confusion ensued. A Bechuana servant of John Blakeway, of Fort Beaufort, was riding near me with a gun in his hand; two Caffre men came up, and one of them said, "Let us seize him, and take his gun from him," and he laid hold of it, upon which the Bechuana shot him; several Caffres followed us from Zeko's kraal; they were apparently unarmed, but I saw that some of them had assagais, the shafts of which were broken off, concealed under their caross; I mentioned this to the people near me, and said that I apprehended danger, but they paid no attention, and laughed at me. After the cattle were turned upon us I heard some shots fired, but I do not know whether any one was killed or not, excepting the one the Bechuana killed. After the confusion was over we collected the cattle together, and took them to Fort Willshire. Captain Stockenstrom never examined me as to the circumstances which occurred after we left Zeko's kraal. I never saw Zeko from the day in question, after he got the second parcel of milch cows from Erasmus. I speak the Caffre language, and interpreted between Erasmus and Zeko.

(signed) *Wynand* his × mark. *Bezuydenhout.*

(signed) *J. H. Mirenand,* *Geo. Jarvis,* } Witnesses.

(signed) *D. Campbell,* Res. Mag. and Civ. Com. for Albany and Somerset.

Court adjourned to 8th January 1836.

8th of January, 1836. *Gert Cornelis Scheepers*, agriculturist, residing at Roode-drag, Bushmaris River, in the field-cornetcy of Lower Buchmaris River, district of Uitenhage, duly sworn, deposes: I was on the commando in the month of June 1830; I joined the commando at Fort Beaufort, and afterwards accompanied the commando to Fort Willshire, where I heard Captain Stockenstrom order Field-cornet Peter Rasmus Erasmus to take the command of the burghers, and to proceed to the kraals of Zeko and Genecho, and to take all their cattle and bring them to Fort Willshire, if we found colonial cattle among them; he also added in a positive manner, "Burghers, don't let the black fellows get the better of you; if they draw an assagai, fire upon them." We then proceeded to the kraal of Zeko, and arrived there early the next morning and took his cattle, having found among them several head of colonial cattle, and some of which had been stolen from me eight days previously. After we had collected the cattle together, Zeko asked Erasmus to return him his milch cows, which, after some discussion, was done; Erasmus at the same time telling Zeko that he had exceeded his orders in delivering up these cows, as he had been directed to bring all the cattle away. After the Caffres had turned out the milch cows, they began to turn out some of the other cattle, which Erasmus prevented, and told Zeko that he had already exceeded his orders; that if he wished to have more cattle he must go to Captain Stockenstrom, who was at Fort Willshire; Zeko said he would go. Erasmus then told Zeko that he or his people were on no account to approach the cattle armed with their assagais; if they did so, he (Erasmus) had orders to fire upon them. Before we reached Zeko's kraal, Erasmus ordered the burghers not to fire upon any Caffre unless they offered resistance. We then proceeded on our way to Fort Willshire with the cattle, leaving Zeko at his kraal; the herd of cattle was very large, which were divided into several portions, and driven by the burghers. I was with one of the centre divisions, and I think Erasmus was in the rear. When we had got about half an hour's journey on our way, I observed Caffres following us, whom I supposed were proceeding to Captain Stockenstrom to apply to him for their cattle. After we had proceeded an hour and a half on our journey, there was a thick thorny place which we had to pass through; I saw a number of armed Caffres in the thickets which we had to pass; four or five Caffres with keries in their hands came up to us, and pretended to assist us in driving the cattle, which we had much difficulty in getting through the thorns. When we got to the thickest part of the thorn-bush, these Caffres ran amongst the cattle, and shouted and whistled, and dispersed the cattle; we appeared to be suddenly surrounded by armed Caffres, who ran among the cattle, and were carrying them off in small parcels, about fifty head in each; there was a great deal of confusion; the burghers galloping to stop this, much dust was produced, and I could distinguish the scene but imperfectly. I saw one Caffre throw an assagai at a burgher, the assagai passed over his shoulder and stuck in the ground;

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I and other burghers immediately dismounted, fired at the Caffre and wounded him, after which he escaped in the bushes; I picked up the assagai and took it to Erasmus. Before this assagai was thrown, I heard some of the burghers before me call out, the Caffres are throwing assagais; immediately after I heard a few shots; I heard no orders given to fire, but I considered that the orders I heard given by Captain Stockenstrom justified me in firing as soon as the Caffres commenced the attack, and I accordingly fired off the charge that was in my gun; had we not fired, there is no question whatever that the Caffres would have taken all the cattle from us, and even had they not thrown their assagais, I should have felt myself justified in firing to repel the attempt to take the cattle from us. As soon as the affray was over we endeavoured to recover the cattle, but the Caffres succeeded in carrying off a considerable number of them. We proceeded with what we could collect to Fort Willshire; the Caffres hovered about us all the way to Fort Willshire, and in two or three instances they planted themselves in our path, as if with the intention to make another attempt to carry off the cattle; we were obliged to have an advanced guard to clear the road to drive the cattle better. I saw several burghers with assagais, which they had picked up. The late Jan Greyling had a bundle in his hand, which he said he had taken from Zeko, whom he had shot. Some days afterwards Tyalie complained to Captain Stockenstrom, at Fort Willshire, that some of his cattle had been taken along with those of Zeko. Captain Stockenstrom directed that Tyalie should be allowed to select his cattle. A great number of burghers stood together in the gate of Fort Willshire, the cattle being in the square, when Captain Stockenstrom said to the burghers, "Now, burghers, look sharp after him (meaning Tyalie); and you, Erasmus, do not let that black fellow get the better of you; see that he takes but that which belongs to him; if he takes one head of colonial cattle, do not let him take any at all." Tyalie and his Caffres drove out a great many cattle, which they claimed; and at last they began to drive out cattle that were known to be, and were the property of some of the burghers present. Tyalie was then stopped from driving out any more, but he was allowed to retain all that he had already driven out; the remainder of the cattle were brought to Graham's Town, and delivered over to the civil commissioner.

(signed) *Gert C. Scheepers.*

(signed) *D. Campbell,* C. C. and R. M. for Albany and Somerset.

(A true copy of the original.)

*D. Campbell,* C. C. for Albany and Somerset.

No. 1. (Translation.)

East Riet River, the 8th of June 1830, Provincial Field Court.

Please to command from each after-mentioned person one man, armed and mounted, fit for burgher duty, and to be present with them, on Tuesday evening the 15th inst., at Fort Beaufort, and there to receive orders from Colonel Somerset.

[Here follows a list of 58 names of the persons who are to furnish a man armed and mounted.]

Those who are neglectful, or have not the fixed number of men on their places, you will immediately report, in order that those places may be granted to others.

I am your servant,

(signed) *A. Stockenstrom.*

(True Translation.) *J. H. Mirenand,*

Sworn Translator, Supreme Court, Cape of Good Hope.

2788. Mr. *Hindley.*] Were the witnesses allowed to be in court during each other's examination?—That I cannot possibly say.

2789. *Chairman.*] Do you propose to add anything to those depositions?—I shall only add, that I put in these depositions as part of my evidence, in reply to certain statements made by Captain Stockenstrom in regard to the commando of 1830.

The *Committee* said, they might appear upon the minutes subject to any future opinion they might form as to their being receivable as part of Colonel Wade's evidence.

2790. Mr. *Hindley.*] Colonel Wade, have you any information of Caffres having been examined in this court?—I have not.

2791. And only one Hottentot?—One Hottentot. I have not any information with regard to the examination of Caffres by the civil commissioner; the only depositions that I have, I have read, in which there is one of a Hottentot; but I beg to add, that Captain Campbell states that he hopes he shall be able "to find a considerable number of the Hottentots who accompanied Erasmus's division; their evidence being very important, as upon it Captain Stockenstrom satisfied himself of the truth of the charge against the field-cornet. All these men reside at a great distance, some of them in the new province, it will therefore be difficult to find them, but I shall do my best."

2792. But are you aware that Captain Stockenstrom collected information from the Caffres as well as from the Hottentots who had been with the division?—Yes.

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2793. And therefore his examination must have been more full and complete that any which shall not include the examination of the Caffres?—Certainly, more full and complete than any which shall not include it; but I am by no means certain that Captain Campbell will not endeavour to have an examination of the Caffres also; I have already stated that he has transmitted only depositions as far as he had then proceeded in his investigation, but that he was still looking for others.

2794. *Chairman.*] What do you now go on with?—The Committee will recollect that I brought down my statement the other day to the removal of the Caffres by my orders in 1833; I now proceed to relate the orders issued, and the means by which that removal was directed to be carried into execution. Now, as to the orders: those transmitted to the commandant, Lieutenant-colonel England, for the removal of Tyalie from the Muncassanna in the preceding month of August, were written by myself, as military secretary to Sir Lowry Cole, and were exceedingly concise, as they referred the commandant (and the civil commissioner was in like manner referred by the chief secretary) to the very explicit instructions (already before the Committee, pages 213, 214,) issued for Macomo's expulsion from the Kat River in 1829, as the rule for their conduct on this similar occasion. And when, within less than a month after Tyalie's removal, the same duty was again to be performed, the same course was again pursued; the commandant and the civil commissioner were referred by me to these same instructions; and Colonel England states, in a letter now before me, that they had been, as indeed I never doubted they had been, "strictly attended to." As to the amount of force at the disposal of the commandant for this purpose, it consisted of the whole of the military on the frontier, and of such portion of the burgher force as he might require from the civil commissioner; and as to the amount employed, with reference to which it has been stated to this Committee by the officer selected by Colonel England to execute this service, that the force that was then put under his charge "was quite inadequate to effect this purpose by force," Colonel England remarks, "I felt, in all my arrangements, that persuasion was the best weapon to begin with, and I merely sent Captain Aitchison with 60 or 80 men, which were quite sufficient to bring him out of any trouble that might occur whilst using such persuasion. Major Cox was prepared with a supporting force, and I was quite ready to give the orders irresistible effect, if unhappily force had been required, which it was not; and the result was, that the service was thoroughly accomplished without a blow." With reference to the description of persuasion employed, Captain Aitchison says, in his evidence, that he told Macomo that if he would go quietly, and advise all his people to do the same, Colonel Somerset might be expected very shortly, and also the new governor, and that his good behaviour on this occasion would insure him his (Captain Aitchison's) support, and that he would not fail, if he went quietly, to mention his conduct to both when they arrived." Now, from the very terms of this promise, and which, I must confess, I can regard in no other light than a compromise, I at once felt convinced that Colonel England had not sanctioned it, and, in fact, knew nothing about it; and that, however desirous he might be, both from his own feelings on the subject and in compliance with the instructions to which he was referred, to effect the removal of the Caffres, if possible, without having recourse to forcible expulsion, yet that he never would have authorized a promise to be made which could scarcely fail to create amongst the ignorant barbarians he had to deal with something more than a hope of readmission at some future period; when, in the first place, the arrival of those to whom they were taught to look for the reward of their submissive conduct might be yet far distant; and secondly, that when the new governor and Colonel Somerset did arrive they might, possibly, not deem it advisable to bring them back again into the colony. In reply to my queries on this point, Colonel England states, "I deny all sanction of terms of compromise with Macomo, or any knowledge of such terms. An appeal to the governor," he adds, "was of course open to him and to Somerset, and these might have been part of the persuasions used." With regard to the crops, &c. left behind in this removal, Colonel England remarks, "it is unquestionable that the Caffre women were freely permitted to return for them, even late in December, and beyond it, and to have every safe access to their gardens." As to the policy of the step, I sent for Captain Aitchison, if at all, probably to give him the requisite orders for carrying into effect a very delicate operation, certainly not to deliberate on the policy of a measure already ordered to be effected. It is right that I should here state, that my first letter to Colonel England

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England on this subject was a private one, dated, I think, early in October; in reply to which, I received an answer, at the end of a fortnight (also a private letter), suggesting that the Caffres should be allowed to remain until after the harvest; had I acquiesced in this, I must of course have left the Hottentot locations exposed to their incursions during the same period. By the following post, I received another communication (also a private letter) from Colonel England, requesting further explanations with reference to the boundaries; which, having been explained, he was directed to carry the orders into execution. Nor was the removal of the Caffres from the neighbourhood of the locations the only measure I deemed it necessary to adopt for the protection and welfare of this interesting settlement. At the period in question, the acting commissioner-general represented to me that the position of the settlement enabled numbers of Caffres to take up their residence within it, and not only so, but to pass still further into the colony, which they traversed in open day, to the great alarm of the inhabitants, as they were usually armed, and in such bands as to compel the farmers to comply with their demands, for fear of personal danger in the event of a refusal; and the numerous depredations which were, he added, committed in the settlement and its immediate vicinity were to be mainly attributed to the ease with which the Caffres entered at that point. As a further measure of protection, then, against these intruders, and also to prevent unauthorized incursions on the part of the settlers into Caffreland, which were exceedingly prejudicial to their improvement, and, it was stated, were not unfrequently attended with circumstances that gave umbrage to the Caffres, and further to meet the great inconvenience and expense arising from every petty offence and misdemeanor being referred for decision to Graham's Town, at 70 miles distant, I appointed a justice of the peace to the settlement, the propriety and expediency of which measure was not doubted by the Secretary of State; but it was added, that "it need not have been made without the authority of His Majesty's Government." With reference to which qualified approval, I beg to remark, that Sir Lowry Cole had already, upwards of "18 months" before, represented to His Majesty's Government, "that the commissioner-general, and every person well acquainted with the settlement, was of opinion that the appointment of a justice of the peace was absolutely necessary, and that it could no longer be conducted with good prospect of success or with safety to the settlers without one." I shall but add one word more on this subject, namely, that with myself alone rests the whole responsibility of the removal of the Caffres in November 1833. The necessity of removing Tyalie and his people from the Muncassanna had undergone mature consideration before Sir Lowry Cole issued his instructions for the execution of that measure in the preceding August or July; and when after his departure I discovered that they had been placed, not beyond the boundaries, but only behind the Gaga, which was erroneously supposed to be the boundary, and that there were others within the limits to whom I was positively certain no permission to reside there had been granted by the government, and that the locations were under these circumstances still exposed to and suffering from depredation and trespass, I did not again deem it necessary to consult the frontier authorities, but decided upon perfecting the protection of the locations as far as it was possible to do so. Had I asked their opinion, I am inclined to believe that the acting commandant, Colonel England, would not, and that the civil commissioner, Captain Campbell, would have approved of the removal. It is right also that I should explain, that the existence of an error as to the precise boundary line at the point in question was by no means a matter to excite surprise, as from the length of time Tyalie's Caffres had been permitted to remain in the Muncassanna, an indulgence they so frequently and so shamefully abused, no circumstance had for some years past rendered necessary the verification of that particular portion of the frontier, and there were very few who possessed accurate information on the subject. I here close the history of the removal of certain of the Caffres from a part of the colonial territory in 1833, to which has been ascribed by more than one witness before this Committee, and (on the authority of a despatch of the present governor of the colony) elsewhere, the late invasion of the settlement by the Caffres; the removal in question having taken place in September and November 1833, and the invasion in the month of December 1834, the policy pursued by the colonial government, and the several occurrences on the frontier during the intermediate period of nearly fourteen months, being altogether excluded from consideration. It is unnecessary to dwell upon the injustice of a conclusion arrived at without hearing one tittle of evidence

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from the party accused. The charge involved in it is a most serious one, but I neither shrink from the investigation nor fear the result. The removal of the Caffres from the colonial territory is one page in this history, and their invasion of it another; but a most important and instructive chapter intervenes, and one which, if dear-bought experience is ever to be admitted as a guide in human affairs, cannot fail to be productive of beneficial results to that colony.

I shall now relate such of the circumstances connected with this latter period as came within my own knowledge, or have been derived from authority on which I can implicitly rely, and examine the despatches of the governor of the 28th October 1834 and 5th January 1835, which have been laid before Parliament, in so far as they relate to my own proceedings towards the aborigines; the state of the frontier on the arrival in the colony of Sir Benjamin D'Urban in the month of January 1834, consequent, as it is stated, upon those proceedings; and that "better state of things" which the governor writes, on the 28th October, he had "succeeded in establishing." Colonel Somerset, the commandant of the frontier, who had been on leave of absence in England, returned to the colony in the latter end of December. Immediately on his arrival at Port Elizabeth (on, I believe, the 21st December) I wrote to him, apprising him that several alterations had taken place in the position of the Caffre tribes during his absence, and requesting that he would not on any account disturb the existing arrangements in respect of them without previous reference to me. He replied to my letter, if I recollect rightly, before his departure for Graham's Town, and assured me that he would conform to my wishes on this subject. I deemed it necessary to make this communication to Colonel Somerset, being well aware that Macomo was a particular favourite of his, and that he was at all times more inclined to indulge than deal harshly with the Caffres; and that on more occasions than one he had permitted his friendly feelings towards them to induce him (without granting any formal permission to do so) to connive at the return of those within the boundaries whose conduct had caused them to be removed from the colony. On the 14th January, Sir Benjamin D'Urban arrived, and not very long afterwards (about three weeks, I believe) I received a letter from Graham's Town, stating that the country was again filled with Caffres; that they occupied all that portion of it from whence they had so lately been removed; that the civil commissioner was unacquainted with the circumstances which led to their return, and that he had proceeded to the spot to investigate the cause of it. Under the impression that the governor was in utter ignorance of this circumstance, I immediately went to him, and communicated the information I had received. His Excellency informed me that he had received a private letter (which he gave me to read) from Colonel Somerset the week before, urging, that on account of the great drought, the Caffres should be permitted to re-occupy the tract from which they had been removed, in so far as to cultivate the ground and depasture their cattle, but not to establish their kraals or huts, within the boundaries. I then fully explained to the governor the reasons that had determined Sir Lowry Cole, in the month of August, and myself, in November, to remove the Caffres, and pointed out to his excellency, that if they were suffering from the drought, so were the settlers in the locations; that it was preposterous to expect, that having obtained admission for the limited purpose stated, they would abstain from establishing themselves within our limits, or that at any time, but more particularly under the circumstances on which the request was grounded, they would be contented with the strip to which they were restricted, when they had before them a fertile country, from which they were only separated by an open waggon road; that all our experience taught that they would not be so, and that it was only exposing them to a temptation they would not resist to bring them within little more than a mile of the Hottentot locations,—a temptation also which they could not be permitted to yield to without sacrificing the safety and welfare of that settlement, and exposing the inhabitants in general to renewed depredation. I further explained that I had made the communication already alluded to to Colonel Somerset immediately on his arrival, and gave his excellency my reasons for having done so, and I added, that I felt convinced that had the civil commissioner been consulted, he would have positively refused his assent to the readmission of the Caffres, as he had expressed to me his decided approval of their removal, after it had taken place, in the preceding month of November, and that I had no doubt that he (Captain Campbell) would immediately express his dissatisfaction at the whole of this proceeding. His excellency expressed great regret at not having communicated

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with me on this subject before he acceded to Colonel Somerset's request, and said that he had no doubt it would be necessary to recall the permission that had been granted, but that it must be done gradually, as it would otherwise betray great vacillation in the measures of the government. A week afterwards, on the following post-day, the governor told me that he had received from Captain Campbell the communication I had anticipated; the result is stated in Captain Aitchison's Evidence (p. 9, Q. 136,), that "they were driven back again." I had no further communication with Sir Benjamin D'Urban on this subject, nor do I believe that except on one occasion, at Government House, when his excellency having lent me Mr. Boyce's admirable "Remarks" (which are on the minutes of the Committee) to read, I returned them, and said I entirely approved of them, and that he asked me whether I had formed any plan in my own mind for dealing with the Caffres, which I told him I had, and shortly explained it to him, we ever again conversed on this subject. There are two remarks I deem it right to offer here with reference to this readmission of the Caffres, and to the evidence already on the minutes. First, I conceive it is fair to infer that in the request he made to the governor in favour of the Caffres, Colonel Somerset was, in some degree at least, influenced by the communication which Captain Aitchison states (p. 9, Q. 132,) he made to him on his return to the colony regarding his (Captain Aitchison's) promise to Macomo. Secondly, that I do not think it is fair to infer (p. 9, Q. 136,) that the permission for the Caffres, having been obtained without the civil commissioner having been consulted, "gave great umbrage to the latter." Captain Campbell is far above the influence of such petty feelings, and was actuated, I venture to assert, by a sense of public duty in whatever opinion he gave.

Before I proceed farther, I conceive I ought to apprise the Committee that I am unacquainted, at least officially so, with any of the orders or instructions issued by Sir Benjamin D'Urban to the civil and military authorities on the frontier for their guidance in their proceedings with the Caffres, and that I am also ignorant of the nature and purport of those communications which, in the despatch of the 28th October 1834, his excellency states he "caused to be made to the several chiefs," and thereby "succeeded in establishing a better state of things" with them than existed on his arrival; with reference to which communications it is further stated, in another despatch, 5th January 1835:

"I had in the middle of last year caused communications to be made to the chiefs of the Caffre tribes on the eastern frontier, expressive of my disposition and intention to enter into a new order of relations with them upon a footing which could not but be advantageous and agreeable to them, but that the carrying these friendly intentions towards them into effect must mainly depend upon themselves, since they were founded on a belief that they desired relations of amity and reciprocal good offices with the colony, and would be disposed to act accordingly, and that of consequence if they wished or expected to be dealt with as friends, they must cease to act as enemies, and to continue the acts of robbery and depredation constantly committed by their people. Upon their manifesting this disposition, it was added, I should be prepared upon my visit to the borders to enter into such treaties and agreements with them as had been described. This communication was made to all the border chiefs accordingly, and I afterwards availed myself of a tour which Dr. Philip, the head of the London mission, made through those tribes later in the year (he having several missionaries resident among them) to explain to them more fully, and in detail, the nature of agreements into which I should be prepared to enter with them, provided that in the meantime they abided by the line of conduct which I had suggested. The greater part of these chiefs (with the exception of Tyalie) expressed themselves well pleased with all this, and for a short period the depredations were in a great degree suspended, but in the latter part of November and early in December they were renewed and carried to a great extent, and at length the border tribes of Tyalie, Macomo, Boteman and Enno, countenanced and supported by the larger and more remote tribe of Hintza, have invaded the frontier line of Albany in large numbers, and with every species of outrage and devastation, attended by murder."

I repeat, that I am unacquainted with the nature and purport of the communications in question, except in so far as they were to be gathered from public opinion, common report, and my own observations on the frontier at the moment when the first of those despatches was written, or may be now collected and understood from the contents of that of the 5th January; and it appears to me the more necessary that I should offer some explanations on this head, since it is stated on the minutes that, during the whole period the transactions I am about to notice were passing, I held that military appointment in the colony which is the usual channel for the communication of orders; and that, being second in command,

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I was at the same time *ex officio* a member of the "executive council of government," and of the "legislative council of the settlement;" with the former of which the governor, whilst he is left perfectly free as to his acts and decisions, for which he alone is responsible, is by His Majesty's instructions positively required to advise upon all matters, excepting only those of mere ordinary routine and detail. First, then, to account for my ignorance of the military orders or instructions having reference to our relations with the Caffres, I have to state that the correspondence on those subjects is, and always has been, carried on between the commander-in-chief and commandant of the frontier direct, and not through either of the general staff departments, namely, that of the deputy adjutant or deputy quartermaster-general. A copy of the frontier orders issued by the commandant is transmitted weekly to the deputy adjutant-general, as are also returns of all patrols made, and of cattle stolen and re-captured; but the instructions to officers commanding outposts, or for the guidance of those in the command of patrols, &c. &c., are, for obvious reasons, very rarely promulgated in public orders. Secondly, I conceive it is due, both to myself and others, that it should be distinctly understood, that although the governor states, in his despatch of the 28th October, that "immediately after his arrival in the colony" on the preceding 14th of January, his "attention was painfully called to the subject of our relations with the native tribes upon the frontier, as well by reports from the civil and military authorities upon the borders, showing the actual state of the frontier districts then existing, as by a reference to the correspondence of the acting governor with those authorities in the close of last year, and of his predecessors in succession for some years past;" and "from all which it was," he adds, "sufficiently obvious that a complete and effectual reformation of our system of proceeding with the native tribes (if that may be called a system which seems to have been guided by no fixed principle, certainly by no just one) had become absolutely necessary." And although it appears from the subsequent despatch, "5th January 1835," already quoted, that preliminary communications were made to all the border chiefs on this important subject, and that the governor availed himself of the assistance of Dr. Philip, the head of the London mission, to explain to them more fully and in detail the nature of the agreements into which he was prepared to enter with them, yet that on no occasion was this question, or any matter connected with it, neither the evils complained of, the remedies proposed to be adopted, the nature of the agreements the governor was prepared to enter into with the chiefs, nor the employment of Dr. Philip as the medium of communication, ever once submitted for the advice or brought under discussion in the executive council during the period I was a member of it, viz. from the day of its formation, in the month of January 1834, until that of my departure from the colony on the 10th December following; the correctness of which statement can be at once ascertained by a reference to the "minutes of the council," extracts from which are before the Committee, and the complete copies doubtless in the Colonial-office; in which, if I err not very greatly, there will not be found one solitary allusion to the state of the Caffre frontier, or to "the strongly excited feeling of discontent and ill-will towards the colony," to which, in the despatch of the 28th October, it is stated the Caffres had been stimulated by circumstances therein said to have occurred during my administration of the government. It is true that the "general state of the frontier districts with relation to the native tribes on the borders" was one of the topics enumerated in a list of subjects to be discussed in the council, which was communicated to us by the governor at our first meeting in the month of March, and our relations with the Caffres was of course included in that general question; but the section of this general question which related to them never was, I assert, directly or indirectly, proposed to, advised on, or discussed by the council. The only measure the latter was required to deliberate on that had any reference to the frontier, its state or defence, was (in compliance with the instructions contained in the Secretary of State's despatch of the 27th November) the substitution of some enactment for the commando ordinance which had been disallowed by His Majesty; but this referred only to the protection of the northern frontier, as the eastern or Caffre frontier (as was explained in Sir Lowry Cole's reply to the Secretary of State's letter, dated November 13, 1833, which was laid before the Council, when called on to discuss the subject in question,) "being guarded to a certain extent by military posts and patrols, commandos are never there called out, except in aid of the military, which rarely happens, and not even then without previous reference to the government." On this point, I shall only further

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further beg it to be distinctly understood, that in stating these facts, I by no means arrogate to myself the right either to blame or justify the proceedings of the governor in this matter. I am ignorant of the nature of the instructions his excellency received from the Home Government touching Caffre affairs, and which may possibly have decided his excellency not to bring this particular question under the consideration of the council, or he may have deemed it right to communicate with the Caffres first, through Dr. Philip, or to visit them in person, and then advise with the council. Of all these circumstances I am ignorant, and therefore, whilst I feel myself called upon to put the Committee in possession of the fact, that whatever communications or arrangements were made, or proposed to be made respecting our relations with the Caffres, were the governor's own, and not the result of consultation with the council, I also feel that it would be great presumption in me to offer any opinion upon the mode of proceeding adopted by his excellency. But as regards the other parts of this question, I feel myself perfectly at liberty, for reasons which I conceive a perusal of the despatch of the 28th October will sufficiently explain, to comment upon it fully and freely, and which, with permission of the Committee, I shall accordingly proceed to do.

First, then, as to the cause to which is attributed by Sir Benjamin D'Urban that "strongly excited feeling of discontent and ill-will towards the colony," to which the Caffres, it is stated, were "stimulated" at the period of his arrival in the colony, and which had rendered them more "persevering and determined in their depredations upon the cattle of the colonists." That cause is thus described:

"For many years past the tribes of the chiefs Macomo, Boteman and Tyalie had been allowed by the colonial government to reside and graze their cattle immediately within (on the western side of) the River Keiskamma, upon the Gaga, Chumie and Muncassanna. In the November of last year the acting governor, under the impression that this indulgence had been abused (which probably it might have been to a certain extent), ordered their immediate expulsion from the whole of that line, and they were expelled accordingly. This unfortunately happened when a period of severe drought was approaching, so that these tribes (I am afraid but too certainly) suffered much loss in their herds in consequence."

Now, I have already explained to the Committee, and I pledge myself for the perfect correctness of that statement, why, whence, and whither the acting governor did remove the Caffres in the month of November; and I ask, can it in fairness be stated, that I did, either at that period or at any other time remove any Caffres from the Muncassanna? I have shown that they had been removed thence by order of Sir Lowry Cole, two months before; a fact which it is the more extraordinary should have escaped Sir Benjamin D'Urban's notice, as his representations to the Secretary of State, under consideration, are founded not only on the "reports of the public authorities," and on a reference to my correspondence with them, but also on a reference "to the correspondence of his predecessors" (amongst whom I must suppose was his immediate predecessor) "in succession for some years past;" and certainly a very cursory perusal of the correspondence of July or August 1833, in the military secretary's and chief secretary's offices, relating to Tyalie's removal from the Muncassanna would have prevented his excellency from imputing to me that I removed the Caffres from thence in the month of November. Again, "The tribes of the chiefs Macomo, Tyalie and Boteman, had," it is stated in the despatch, "been allowed for many years past by the colonial government to reside and graze their cattle immediately within (on the western side of) the River Keiskamma, upon the Gaga, Chumie and Muncassanna;" and, "in the month of November of last year, the acting governor ordered their immediate expulsion from the whole of that line."

Now, in the first place, I do not think that in the correspondence of his predecessors Sir Benjamin D'Urban found that the chief Macomo had been allowed by the colonial government "for many years past" to reside within the boundaries (which is what I suppose is meant), or that such permission was ever renewed after his expulsion in 1829; and, in the next, the governor is here exceedingly explicit and marks very distinctly the country the Caffres had been "allowed by the colonial government" to occupy, viz. "immediately within, on the western side of the Keiskamma." Now it will, I conceive, be obvious from the context, and on reference to the map, that it is the Upper Keiskamma, from its junction with the Chumie, which the governor is speaking of, for he states that the permission had been to reside within, on the western side of the Keiskamma, "upon the Gaga, Chumie and Muncassanna;" and I ask whether any one reading the above extract and then what follows, the acting governor "ordered their expulsion from the whole

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of that line," would not believe that they had been removed altogether from the valley of the Chumie and had been placed without, to the eastern side of or beyond the upper Keiskamma; and whether he would ever guess that, as already stated, no Caffres were removed by the acting governor from the Muncassanna—that it was merely from the Gaga to that upper stream already described, perhaps two miles distant, that Tyalie was removed, and that the others were removed from that portion of the ceded territory above Fort Willshire which is enclosed between the boundary and the waggon-road, and placed behind the river frontier of the colony. I may be wrong, but I cannot otherwise account for this most erroneous statement than by supposing that Sir Benjamin D'Urban, not having yet visited the frontier when he wrote that despatch, was under the impression that the Keiskamma was the boundary of the colony in its whole course, and that he believed that the Caffres had been allowed by the colonial government to graze their cattle "within" "on the western side of" the Upper Keiskamma, and between that river and the Chumie, and that I had deprived them of that indulgence, and removed them from the valley of the latter, and in fact from their own country.

2dly. As to "the actual state of the frontier districts then existing," that is, "immediately after the governor's arrival in the colony," it is stated that, "at the period alluded to, the Caffre tribes on the eastern and north-eastern frontier had become more persevering and determined in their depredations upon the cattle of the colonists." If such was the case, I must remark, that it was not exactly the moment at which the colony should have been thrown open to them, as I shall presently show was done within a month after Sir B. D'Urban's arrival. It is also stated, that the Caffres were then, "at the period, stimulated by a strongly excited feeling of discontent and ill-will towards the colony, arising from" the circumstances already alluded to.

The official correspondence of this period I have never seen, and am therefore unacquainted with the nature of the "reports from the civil and military authorities upon the borders," from which the governor's information appears to have been derived; but the whole of that correspondence will be presently before the Committee; and although I admit without hesitation that the removal of the Caffres was likely to produce discontent, I shall certainly be a good deal surprised to find in it either that depredation had at this particular moment very much increased, or that the Caffres had evinced those strong feelings of discontent and ill-will which his excellency has ascribed to my proceedings towards them in the preceding month of November.

3dly. As to that "better state of things" with the Caffre chiefs, which the governor states in the month of October, the communications he had caused to be made to them, "consisting of admonitions at once and conciliation, had succeeded in establishing," I beg to inquire in what it consisted, or on what occasion it was apparent, either during the preceding months or at the date of that despatch.

Had the Caffres given any proofs that they entertained more friendly feelings towards the colonists than formerly? Had depredations ceased? Was the system of reprisal abandoned? Was the colonial territory preserved inviolate? Was the employment of patrols, whether on the spoor of stolen cattle, or for the purpose of clearing the colony of marauders, discontinued? Or was that system, to which Sir Benjamin D'Urban's attention had been "painfully called immediately after his arrival in the colony," ten months before the date of this despatch; that system which he had denounced as "having been guided by no fixed principle, certainly by no just one," and "the complete and effectual reformation of which," also, "it was sufficiently obvious," he stated, "had become absolutely necessary;" had that system, I ask, been succeeded by another and a better one, calculated at once to afford His Majesty's subjects protection and conciliate the native tribes? I answer, No. The system hitherto acted upon, and which in some measure at least (although I readily admit imperfectly, because the means were utterly insufficient,) had restrained the Caffres, and was therefore a merciful one, was indeed, in some important points, departed from; for colonists were murdered in Caffreland, and their property plundered with impunity; depredation was carried on to a considerable extent within the boundaries, the colonial territory was overrun by the Caffres, who, far from being conciliated by the half measures resorted to, were vexed, and irritated and disappointed by them; whilst the commandant, at the same time that he was required to protect the property of the colonists and prevent the intrusion of the natives, had his hands completely tied, and the exertions of the mere handful

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ful of troops at his disposal, for the accomplishment of this at all times most arduous and harassing task, completely paralyzed by the nature of his instructions. In proof of these assertions, I must state, that in the month of July one of the most atrocious and unprovoked murders that the Caffres ever had been guilty of was perpetrated at but a short distance from the residence of the chief Hintza, by the Fingoo slave of a near relative of that chief, by whom the whole of the property belonging to the murdered man, William Purcell, a British subject, was seized. Now, was or was not this barbarous act permitted to pass with impunity? I am aware that Hintza was called upon to deliver up the murderer, that restitution of the stolen property was demanded, and, if I rightly remember, that the requisition was backed by the threat of a commando. But the Caffres are not to be dealt with by threats: the murderers were not delivered up; the property was not restored; and when the Caffre war broke out in December, five months after the commission of it, the crime still remained unpunished. Would such an event have been suffered to pass under the denounced system, twelve months before, without instant retribution being exacted? I unhesitatingly answer, No. With regard to depredations, I cannot in this, as in former cases (not having any memoranda or access to official documents on the subject), attempt to specify the amount at different periods during 1834; but that they were carried on to a very considerable extent I affirm, and I appeal to Sir Benjamin D'Urban himself in proof of their existence. When referring, in his despatch of the 5th January 1835, to the state of the frontier in the preceding month of October, he states, "for a short period the depredations were in a great degree suspended;" and in the enclosures to that despatch there is abundant proof both of their prevalence and extent. Colonel Somerset states, in his letter to the military secretary, the 11th December 1834, "for several months numerous colonial cattle have been traced to and in the direction of those kraals," (Enos's kraals, which were, be it remembered, within the colonial territory); and again, on the 18th December, "indulgence and forbearance have been tried to their extreme limits with the Caffre tribes; the result has been a more continued system of depredation, quite unprecedented at this season of the year, and of the most daring conduct, and at length open defiance." To these proofs I shall only add, that on the day I arrived at Graham's Town (5th October 1834) Colonel Somerset called upon me and told me he was just then setting off to meet the Caffre chiefs at the Buffalo River, for the purpose of demanding restitution of several hundred head of colonial cattle stolen from the inhabitants during the preceding months, and of threatening them with a commando in failure of compliance. Was there, let me ask, a single beast restored in consequence of that threat? Again I answer, No. Would the Caffres have been permitted to retain their plunder under the denounced system? Certainly not. As to "reprisal," from the contents of the only official documents I now have access to, it is evident that it was not discontinued, for in the very first enclosure in the despatch already alluded to there is the commandant's report to the governor of the circumstance which attended the seizure of cattle as "reprisal" for "horses stolen." Now with reference to the contents of this report, I ask, whether, under the denounced system, the troops would have been permitted to enter the Caffre kraals in search of stolen property, or have been required to perform duties which necessarily tended to produce irritation, and yet have been prohibited from using their fire-arms? Assuredly not. The mere "threatening to fire," when the Caffres fully understood that the patrols were authorized to do so, had, in almost all cases, proved sufficient to restrain them; and the permission to use their fire-arms was therefore, in my humble opinion, a humane regulation; nor do I believe it will be asserted that the soldiers had ever wantonly abused it; whilst, on the other hand, the orders not to fire, with which the Caffres soon became perfectly acquainted, and more than once taunted the soldiers on the subject, could not, and did not, fail to encourage them at once to acts of the most daring conduct towards the military, and to enter the colony and fix themselves when and where they chose within the boundaries. I do not believe that, under the former system, Tyalie would have declared to a British officer that "he would and must occupy and graze his cattle on the Muncassanna valleys." As to the employment of the troops in following the spoor of stolen cattle, these same enclosures afford abundant proof that it was permitted, and that the use of patrols for the purpose of keeping the colony clear of Caffre intruders was not discontinued, but was rendered totally ineffectual, the following occurrence, which took place on the "twenty-second" day of October, and to which I speak as an eye-witness, will

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sufficiently testify, and will render any further comment unnecessary upon that system of "admonitions at once and conciliation," which, in his despatch, written within a week afterwards, viz., on the "twenty-eighth" of that month, the governor states had "succeeded in establishing a better state of things with the Caffre chiefs."

I have already stated that I arrived at Graham's Town on the 5th of October 1834, after having visited the Bathurst country, lying between it and the sea, and that part of the ceded territory which is to the south of the road from Graham's Town to Fort Willshire; and having made a short excursion to Wesleyville, in Caffreland, I proceeded to Fort Willshire on the 20th of October, where Colonel Somerset had promised to meet me, and had requested Macomo to join us, and with which request he complied on the following morning, the 21st October 1834. We started at a quarter before seven, crossed the Keiskamma into Caffreland at a drift (that is a ford) just above the Fort, visited Macomo (who had returned the night before) and the younger Botemans at their respective kraals, and then, accompanied by the former chief and several of his Caffres, well mounted, recrossed the river at another drift higher up, and having gained the waggon road, followed it to where it branched off to Fort Beaufort; here we off-saddled for an hour; soon after mid-day we reached the Omkobino, a tributary of the Chumie, crossing first an insignificant stream, the Thiln. These valleys were swarming with Caffres, as was the whole country in our front, as far as the Gaga; the people were all in motion, carrying off their effects, and driving away their cattle towards the drifts of the river, and to my utter amazement, the whole country around and before us was in a blaze. Presently we came up with a strong patrol of the Mounted Rifle Corps, which had, it appeared, come out from Fort Beaufort that morning; the soldiers were busily employed in burning the huts, and driving the Caffres towards the frontier; from these latter, I learned that they had been settled here better than a month, during which time no patrol had disturbed them; they had, therefore, built their huts, established their cattle kraals, and commenced the cultivation of their gardens. I afterwards ascertained that this statement was correct, no patrol having visited this quarter during the last five weeks. On inquiring of Colonel Somerset the cause of this most unexpected occurrence, he said that it was a necessary consequence of the system that was prescribed to him from head-quarters; that he was expected to prevent the Caffres from occupying the country, and to protect the property of the inhabitants, whilst the means of doing so were utterly denied him; that the Caffres would not abstain from coming into the colony, and establishing themselves there, on merely being told they were not to do so, nor when once within the limits, would they withdraw without compulsion; that nevertheless, he was required to keep the colony clear of them, at the same time that the use of force for that purpose was almost positively prohibited; that his excellency attached the greatest responsibility to the employment of it under any circumstances whatever, and held him (Colonel Somerset) personally responsible for the consequences in every individual instance in which it was resorted to; that he had, therefore, for his own security, deemed it absolutely necessary to prohibit the use of fire-arms, except when he was himself present; that with their hands thus tied, (and the Caffres had become perfectly aware of the nature of the orders they had received, and had, as I have already remarked, cried out to the soldiers "we know you dare not fire,") the service of patrolling only vexed and harassed the troops, without in the slightest degree protecting the property of the inhabitants, or keeping the country clear of the Caffres, who were no sooner removed, and the patrol returned to its quarters, than they re-occupied the country from whence they had been displaced; that he had therefore of late almost entirely discontinued the usual daily patrols. He added, that the leniency latterly shown to the Caffres had not been productive of any one good effect; that, on the contrary, they had greatly abused it; that depredations were as prevalent as ever; that there were then several hundred head of cattle due to the colony; and repeated, what he had before told me, that on the day of my arrival at Graham's Town he had gone, by direction of the governor, to meet the chiefs on the Buffalo River, for the purpose of requiring restitution, and threatening them with a commando if they were not restored; that it was totally impossible for him to protect the inhabitants, or answer for the safety of the colony, if he were not permitted to have recourse to a more energetic system of defence; and that he had made the strongest representation to the governor on this head for months past. I rode with Macomo for some time, who was evidently sorely vexed at the work that was going on around us.

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us. He complained of the Caffres being so often permitted to enter the colony and again thrust out, without any apparent cause for their removal; that they had remained during the last five weeks unmolested, and were again burnt out, when there was no cause of complaint against them. He asked me, emphatically, "When am I to have my country again?" I replied, "What country?" He said, "This country, where we are, and that country," pointing towards the Hottentot locations. I said, "You well know, Macomo, why you were first removed from that country (meaning in 1829); latterly Tyalie was removed from the Muncassanna, and your Caffres from this country where we now are, because they not only stole the cattle of the Hottentots, but occupied the whole of the grazing ground with their own herds, and even drove them into the corn lands and gardens of the locations." He said that was bad, and that we should punish those who did so. I asked him how we were to discover them if the chiefs would not assist us; and added, "if the Caffres are permitted to occupy the country on one side of an open road, and the colonists the other, the cattle and corn fields of the latter being before their eyes, will you, Macomo, take upon yourself to say that you can prevent your people from trespassing or committing depredation? and if you cannot, is it not better that the waters should flow between the colonists and the Caffres, over which the cattle cannot stray, nor the Caffres pass without knowing that they are doing wrong?" He evaded a direct reply, and asked, "Are there no thieves in the colony?" I said, "Yes, and every one endeavours to find them out, and when they are discovered they are severely punished, and even hanged." He made no reply, and shortly afterwards rode away, saying, in a very marked and peculiar manner, "But we are to have the land again." In the evening we proceeded to Fort Beaufort, and on the following morning breakfasted at the Chumie, within three miles of which was Tyalie's kraal. In compliance with Colonel Somerset's request, he had assembled his warriors for a sham fight; he was, however, evidently out of humour, and conversed but little. After the fight, I told him I would visit him on the following day at his own kraal, which I did, in company with Captain Armstrong, but he was still in a sulky state, and talked but little. On the next day, the 24th, we (Captain Armstrong and myself) rode down the side of the Kat Mountain towards the source of the Muncassanna, and were not a little surprised at seeing the whole country between the head of the Gaga and the Muncassanna covered with Caffre cattle up to the very edge of the first location in the valley of the latter. The farmer, a very respectable and intelligent Bastard, had used great exertions in making dams for the purpose of irrigating his grounds, and his garden and crops showed that he had not been idle; "but," he said, "my time and labour and money are all thrown away; those cattle will be in my garden before night; they have destroyed my inclosures over and over again, and if the troops may not compel the Caffres to keep out of the colony, I must abandon my farm, and remove to another place." He added, "I do not blame the troops; words are not sufficient for Caffres." On inquiring of the herdsmen of the Caffre cattle how they came to be there, they pointed to me, and said that I had given them permission to come in for the purpose of grazing the other day, when they were removed from the Omkobino. I must here state, that I expressed to Colonel Somerset, both at the Kat River post and, if I mistake not, subsequently in writing, my positive conviction, the result of all I had seen and heard since my arrival on the frontier, that affairs could not remain in the state they then were a month longer; that it was evident, from the bearing of the Caffres on several occasions lately, that knowing the nature of the orders the troops had received, they did not care a farthing for patrols; that the chances were a thousand to one, as he knew better than any one, that they would take advantage of their present position, and of the opportunity afforded them by the system that he was required to follow; and that the colonists also would not much longer tamely submit to be plundered, but would take the law into their own hands if they were not protected; and I most urgently recommended him for his own safety to obtain from the governor the most explicit instructions for his conduct in every case that he could possibly expect to occur. I did so, because I felt perfectly convinced that a crisis was fast approaching that would place him in no ordinary difficulties and the colony in the utmost danger. I beg to say that these are not opinions "formed after the event," or to suit a purpose; they were expressed to more than one person in the colony both before and after my return from the frontier to Cape Town, as can be proved, if necessary, hereafter. I had heard a good deal of the system in operation before I commenced

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menced my tour, and I had now witnessed the working and effects of it, and it did not require the gift of second sight to prophesy the result. It is proper that I should here state, that from the moment of his arrival in the colony to the day of my departure from it, the governor had constantly expressed the greatest anxiety to proceed to the frontier, and had announced, I might almost say daily, his intended departure, and I know that on more occasions than one the arrangements were made for his proceeding thither (indeed it was the intelligence that the relays of horses were actually ordered for his journey that hastened my return to Cape Town, or I should in all probability have witnessed the outbreak of the Caffres); and it is deeply to be deplored that any circumstance interfered to prevent his appearance there, for I cannot but believe that if, before he enjoined a system of forbearance to the extent I have explained, which, under the circumstances of the frontier, and considering the people he had to deal with, it is an abuse of language to call humanity, and which ignorant and arrogant barbarians would not and did not fail to misconstrue into weakness and fear; and if before he authorized promises to be made to the Caffres through, I cannot but consider, under all the circumstances of the case, a most unfortunately selected channel; promises which, from his excellency's own description of the benefits the fulfilment of them was to confer, must necessarily have excited hopes, the constantly deferred realization of which from month to month could not but generate discontent, and lead at length to doubts of their sincerity; promises, too, which, if the general feeling and belief on the frontier as to their extent had any good foundation, amounted to no less than the restoration to the Caffres of a considerable portion of the ceded territory; if, I repeat, before that system was enjoined, and these promises were made, his excellency, after having advised and consulted with impartial and unprejudiced men, and such were to be found in the colony, had then visited the frontier and examined the whole of this most important, and without any doubt perplexing, question, in all its bearings, on the spot, I do believe that whilst he would not a whit the less have felt not only the justice and humanity, but good policy of conciliation and indulgence, and of establishing and confirming, by every possible means, a friendly intercourse with the Caffres, that he would also have arrived at the conviction that a peaceable demeanor on the part of the great mass of that people must always be regarded as the result of fear, and not a desire for peace; that whilst mercy should in all our relations with them stand pre-eminently forward, the sword of justice never should be laid aside; that as regarded "depredation and reprisal," the rule of enforcing immediate restitution, or an equivalent before losses amount to an extent that at length compels a commando, is a measure of humanity, and the suspension or abolition of it a premium on depredation; that the admirable "remarks on the best means of preserving the peace of the colonial frontier," which were communicated to his excellency by the Rev. Robert Boyce, one of the Wesleyan methodists, in the month of "March 1834," a gentleman who had long resided amongst them, and knew the Caffres well, were consonant with common sense, humanity and justice; and lastly, that if his excellency ever did entertain the intention of re-admitting the Caffres to the ceded territory, that one glance at the Fish River Bosch would have convinced him of the madness of doing so, and have satisfied him that such a measure of indulgence was not to be granted to them without not only the risk, but the positive certainty of sacrificing the districts of Albany and Somerset. I remained five or six days at the Kat River post, visiting the Hottentot settlement and country in the neighbourhood. Many of the locations were in a promising state, and the general appearance of the whole certainly very gratifying; but notwithstanding the exertions that had in such a variety of ways been made to remove all impediments to their progress and accelerate their improvement, I was assured by those who could not be mistaken, that latterly the settlement had lost ground, and that the Hottentots—not the Bastards—very many of whom had exhibited at the commencement an energy and anxiety to improve that had not been expected from them, had again fallen off, and had become idle and restless and discontented; and also, that the internal tranquillity of the settlement had been destroyed by the mischievous introduction of party feeling and political discussions amongst them. In fact, the settlement was divided into two parties, the Bastards and the Hottentots; the Bastards looking altogether, or almost altogether, to Mr. Thompson, the colonial clergyman, as their spiritual guide, and the Hottentots, to Mr. Reid, a member of the London Missionary Society. In order to explain to the Committee the cause of the disunion that

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that existed in the settlement at this period, it is necessary to advert to the vagrant law which had a few months before been proposed by the governor to the legislative council of the colony. But as I shall hereafter, under its proper head, propose some remarks upon this vagrant law, and the necessity that exists for it, to the Committee, I will not now go into an explanation of any of the circumstances connected with it, further than as they relate to this disunion I have alluded to. When that law was first proposed by the governor to the council, it had, as is the case with every new law, appeared in the public Gazette for three successive weeks, before it came under discussion in the legislative council, and at the end of that period there was but one petition, either for or against it, presented to the legislative council.

2795. *Chairman.*] The Committee do not wish you to enter upon the subject, at all events at present, as to the vagrancy law; any general statement as to vagrancy that might have excited disunion, they have no objection to; but to the particular circumstance of the vagrant law, the Committee having resolved that they are not disposed to enter into that now, it will be much better that it should be kept separate until such time as they think proper to go into it?—I am not going to enter upon the question of the vagrant law further than as it relates to the disunion of which I have been speaking in the Hottentot locations, and I have deemed it right to bring this subject under the notice of the Committee, because that disunion is connected with the subsequent Caffre war; and I shall hereafter, I feel certain, convince the Committee that the disturbed state of the Hottentot locations, arising out of discussions on the vagrant law, was very near proving fatal to them; that when the Caffre war broke out, the Hottentots had been tampered with, and successfully tampered with, (I beg here again to say the Hottentots, and not the Bastards), and that their being so tampered with was closely connected with the disunion to which I have adverted, and that that disunion was the result of most improper (as it appears to me) interference on the part of Mr. Reid and Dr. Philip, of the London Missionary Society; I conceive that it was impossible that the Hottentots should not have been excited by the memorials addressed by Dr. Philip to the legislative council respecting the vagrant law, and the contents of which became publicly known to the colony; I conceive that it was impossible that they should not have been excited, when political meetings were got up by Mr. Reid for the purpose of presenting petitions against the vagrant law; and I conceive that they were likely to be still more excited, when, as I shall prove, a circular letter was addressed by Dr. Philip, the superintendent of the London Missionary Society, to the whole of the clergy under his orders, calling upon them to put up prayers in the midst of their congregations, which congregations consisted almost entirely of this ignorant class of the population, who necessarily would be those most affected by the vagrant law; prayers to the Almighty to avert the evil that was then hanging over the colony. A letter of this description was addressed to Mr. Reid, in which he was requested, as he states, to apply to Mr. Thompson, the colonial clergyman in the Hottentot locations, to offer up similar prayers in his church. A copy of the letter to Mr. Thompson I have in my possession, and shall now produce to the Committee.

2796. *Chairman.*] I understood you to say, that you think that the Caffre war was brought on in some degree by the discontent among the Hottentots, as distinct from the Bastards, and that it was occasioned in a great measure by the political agitation of the vagrancy law?—I beg pardon; I have not said that the Caffre war was occasioned by any such thing; I have said that the Hottentot locations were endangered considerably at the time of the Caffre war by the political feeling that had been excited there, and the discontent introduced in discussing the vagrant law; and that the Caffres had taken advantage of that excitement to tamper with, and had successfully tampered with that portion of the settlement that was under Mr. Reid's influence, being the same portion that had been induced to present a petition to the legislative council against the vagrant law.

2797. *Chairman.*] May not the agitation of the question of a vagrancy law, originating I believe with yourself in the first instance, that it should be adopted, be as much the cause of this dissatisfaction as the measures taken by Dr. Philip, Mr. Reid and others to prevent that measure, as bad in their estimation, from being carried into effect?—In the first place, I beg to say, that I do not admit that the idea of a vagrant law originated with me; I strongly urged the necessity of a vagrant law, and I will now state why I urged it.

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The Chairman here intimated that the Committee having already come to a resolution, that they would not at present inquire into the subject of the vagrant law, any remarks that the witness had to offer had much better be postponed until such time as they should think it requisite to proceed with that inquiry.

2798. Have you any further statement to make, or observations to add, disconnected with the vagrancy law?—I now wish to put upon the minutes the documents I have alluded to. The first is an "extract" from a letter introduced into one of Dr. Philip's memorials to the legislative council, addressed to him by one of the missionaries under his superintendence, Mr. Barker, in which Mr. Barker states, that

"Any existing disorders among the colonial people are caused by the canteens, and the canteens only; and in this these poor creatures are led by those who are most loud in their clamours for vagrant acts. Why should government entrap the people by its canteens, for all the paltry revenue it receives from those hells? and why should it make the whole of the people vagrants for the acts of those it has actually tempted to become drunk? But whatever the views of government may be in this business, we know that the clamour for this vagrant act does not proceed from the fears, but in the rapacity of the people that are clamorous for it: they would not allow, if they could have their will, a man of colour in the country to be able to call a child he has, or a muscle or a bone in his body his own, or to have a member of their bodies which they could not buy and sell in the market at their own prices. We know, and every one knows who knows anything of the colony, that crime has been decreasing in the country ever since the passing of the 50th ordinance; and every one who knows this must know that we have no need for a vagrant act, and that such a vagrant act as the one proposed must bring us back to what we were."

Dr. Philip states—

"That memorialist fully coincides in opinion on this subject with the writer above quoted; and he has further to represent, that he has carefully perused the memorials from Graham's Town, and from Graaff Reinet, praying for the passing of the draft of the ordinance into a law, and the reports of the proceedings of the meeting convened for drawing up the said memorials and transmitting them to the honourable council, and looked in vain over these memorials, and in the resolutions and speeches appended to these memorials, for anything like a fact, or the shadow of an argument to justify the prayer of the memorialists for the passing of the draft of the ordinance into a law. That memorialist can see but one thing in the above memorials and speeches, that it is the wish of the said memorialists to receive for their slaves the money that the British Government has pledged itself to give them for their redemption, and to have the slaves given back to them under a new and not less severe form of slavery; and to have an addition to the perpetual and compulsory service of the slaves, the free aborigines of the country, as an additional compensation, placed under the same law of slavery, to be theirs and their children in every succeeding generation.

"That memorialist had the 50th ordinance submitted to him by the heads of the Colonial Office in Downing-street for his opinion on it, before the seal of the King in Council was affixed to it; and that after consulting Dr. Lushington, Mr. Buxton and others on the subject, with their advice memorialist drew up a letter, which was addressed to James Stephen, Esq., in which he gave his consent to the 50th ordinance as it now stands, on the ground that it was to be considered, and particularly the second section of it, securing them against being arrested on the charge of vagrancy, except after trial in due course of law, as an additional protection to that afforded by the declaration of Parliament, which placed the Hottentots under the same law as the other colonists, whether Dutch or English, in the same manner as orphans, apprentices and soldiers have additional protection afforded them in England; and memorialist was assured by Mr. Stephen that the views of memorialist were in perfect accordance with those of His Majesty's Government."

The other document which I now propose to read is the "extract of a letter written by the Rev. Mr. Reid to the Rev. Mr. Thompson, dated Philipton, (in the Hottentot locations) August 14, 1834."

I think it right, before I read this letter, to say, that Mr. Thompson remarks, in communicating it—

"I would feel much delicacy in treating the correspondence of any person in this way had I given any encouragement to it on my part, but as the communication was gratuitous on the part of Mr. R., unsought for by me, and even contrary to what, if he had any discrimination and modesty, he must have been aware my sentiments were on the subject, I do not consider myself guilty of any breach of confidence in making it public."

This is Mr. Reid's letter—

"The vagrant law is assuming a serious aspect on both sides of the question. It seems there is a great difference of opinion. From a letter from Mr. Van Lingen, at Graaff Reinet, it appears that there is a considerable number of the inhabitants that are opposed to the law, and consider that all their fellow-subjects ought to be left to enjoy their liberty, except those

those who are guilty of breaking the laws of the land. From a letter from the (place not mentioned), it seems that with the exception of a very few individuals, the whole are against the law. Captain Watt, Mr. Hudson, the magistrate of Uitenhagen, Mr. Van der Riet, the civil commissioner, and even Colonel Cuyler, are opposed to the law. Dr. Philip considers the law of such a nature, that he has written to all the missionaries, recommending them and their congregations to hold the 18th day of this month as a day of humiliation and prayer to Almighty God, that it may please him to arrest the pending evil. In his letter to me he says, 'I hope Mr. Thompson will join you and make the same known to his people to do the same.' I do not know whether you will be able to favour us with your company, otherwise we shall be —— to have your assistance and prayers. I suppose we shall be occupied most of the day.

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(signed) "*J. Reid*, Chairman."

2799. *Chairman.*] Have you anything else to offer?—No, that is all at present.

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*Lunæ*, 18° *die Aprilis*, 1836.

MEMBERS PRESENT.

| | |
|---|---|
| Mr. Fowell Buxton. | Mr. William Gladstone. |
| Mr. Andrew Johnston. | Mr. Plumptre. |
| Mr. Charles Lushington. | Mr. Hindley. |
| Sir Rufane Donkin. | Mr. Bagshaw. |
| Mr. Wilson. | |

MR. FOWELL BUXTON, IN THE CHAIR.

Captain *Andrew Stockenstrom*, called in; and further Examined.

2800. *Chairman.*] HAVE you any further evidence which you wish to tender to the Committee?—None; except that having understood that there were certain affidavits given in with reference to my evidence before the Committee, and not thinking that I could be here to-day, I have written a letter to the Chairman, which I beg may be accepted as evidence, if the Committee thinks proper.

Captain *A. Stockenstrom.*

18 April 1836.

2800*. Will you have the goodness to read it?—[*The Witness read the same, as follows:*]

Sir, London, 1 April 1836.

I AM aware that I have no right to expect that this communication shall be admitted as evidence by the Committee over which you preside; but as you know that I am obliged to leave this country soon, that my passage is engaged, and that I am likely to sail for the Cape before the said Committee can again meet, I trust you will allow me to trouble you with the following Statement, in order that (if you should not have it in your power to cause it to be entered upon the minutes,) I may at least be able to appeal to it as an official document when I shall find it expedient to do so; and I therefore hope that you will do me the honour briefly to acknowledge its receipt when convenient.

Having been informed that, at the last meeting of your Committee, certain affidavits had been produced by Lieutenant-colonel Wade, as received by him from the Cape, militating against a part of my evidence given before the Committee during the last session of Parliament, I obtained your consent to inspect the same, and was yesterday permitted by the clerk of the Committee to look over them before they were sent to the printer.

Though I have consequently been able to take only a cursory view of the said affidavits, I have nevertheless a sufficient impression of their contents to be satisfied that it is a fortunate circumstance that they have come to my knowledge before my departure; in the first place, because I happen to possess the means of at once, by the clearest and most incontrovertible proofs, showing their incorrectness.

I beg, however, that you may be pleased to understand that, as far as I am personally concerned, I do not object to the reception of said evidence in the present instance, as I trust mainly to the scrutiny to which such attacks must lead, for the true exposition of my conduct and motives; and it was upon these grounds that I felt truly grateful to your Committee for giving up so much of its time to those cross-questions to which I was subjected, and by which not a comma of what I have stated, even upon memory, has been shaken.

However, to expose the real character of the affidavits in question, I shall not have to trouble you with any comments on minor points. I think it preferable to bring you to the substantial point at once, and show that the statement, that I had ordered the seizure of Caffre cattle, for the purpose of being taken to Fort Wiltshire, when the commando entered

Captain *A. Stockenstrom.*

18 April 1836.

Caffreland in 1830, though solemnly sworn to, is unfounded. I happen to be in possession of the very order which I did issue (not verbally, but in writing), and place in the Field-commandant Erasmus' own hands, as the same will be found entered in the commissioner-general's letter-book, in the Dutch language, in the handwriting of Mr. C. Andrews, then acting clerk of the commissioner-general, containing these words as I now translate them:

" Provisional Field-Commandant, " Kat River, 15 June 1830.

" As it will be permitted to every one upon this commando to turn out such cattle as are found among the Caffres, and which he can swear to as having been stolen from the colony, I have to order you to make known to all under your directions, that in case of doubt the oath will actually be imposed; and that consequently those who appropriate to themselves Caffre cattle, expose themselves to be prosecuted as well for perjury as theft.

" Your servant,
(signed) " *A. Stockenstrom.*"

I am purposely, and for obvious reasons, particular in describing by whom the said order was entered, and where it is to be found.

I suppose that this much would be quite satisfactory on the one point, but I go farther and show that it was impossible at the time that I should have issued any other order, except " to turn out (uitjaagen) such cattle as were found among the Caffres," and had been " stolen from the colony;" for if you will have the goodness to examine my letters to the secretary of government, dated May 12th and 17th, and June 9th and 17th, 1830, as they appear on the minutes of your Committee, you will find a uniform determination not to meddle with Caffre cattle; and in my letter to Lieutenant-colonel Somerset, dated 19th May 1830, also entered upon said minutes, it is evident that no such seizure was contemplated. The same fact appears from my letter to the civil commissioner of Albany and Somerset, dated 8th June 1830; and in the letter by which Erasmus is ordered to place himself with a commando under the orders of Colonel Somerset, he is told that, " if there be inhabitants who have lost cattle by the Caffres, and who think that the commando will find that cattle, they may join the commando." Moreover, Erasmus and his men were placed under the orders of the military commandant immediately after the said order of the 15th June was handed to him. I could consequently give him no further commands as long as the military operations continued; Colonel Somerset would (and very properly) not have allowed any such interference.

So much for the Caffre cattle having been seized in consequence of my orders; and I now come to the shooting of Seco and others, which is said in the affidavits to have taken place in consequence of their throwing assagais at the commando. Nothing is more likely than that I did say, that if the Caffres did so throw assagais they should be fired upon, though such an expression would have been quite superfluous, for it was a matter never doubted, standing to reason and common sense, and perfectly understood by all parties; but as for the assagais having been thrown, and Seco being armed, I beg of you just to compare the evidence of the Hottentot Boezak, as now sent from the Cape, with the statement made to me by this same individual when he was taken unprepared, the year after the transaction occurred, though even then so extremely anxious to conceal the truth, that without confirmation from other quarters, I should have attached no weight to what he said.

Here again I happen fortunately to be in possession of the original draft of Boezak's evidence, as taken down literally in the handwriting of the said Mr. Andrews, who understands sufficient of the vernacular tongue to judge whether my interpretation was correct, you may inspect this original paper if you please. Its contents are as follows:

" The Hottentot Boezak, in the service of Provisional Field-commandant Erasmus, questioned as follows:

" Name, residence and occupation?—Boezak: I live with the Provisional Field-commandant Erasmus; I go with him as his servant on journies.

" Were you with your master on the commando last year, when the Caffre chief Seco was shot?—Yes.

" State the particulars of his death?—The commando, which was led by my master, came into a narrow kloof, where we found a great number of cattle. Some Caffres made their appearance at a distance, one came to my master; my master asked him what Caffres those were at a distance, and whose cattle these were in the kloof with us. He said that it was Seco, and that they were his cattle. My master then called Seco to come to him. Seco came, and asked my master why they took his cattle. My master said that he acted according to orders from the commissioner-general and the commandant; that he (Seco) might come to Fort Willshire and speak to those authorities; but that he would leave Seco the poor milch cows. This my master ordered to be done, driving off the rest of the cattle. Seco and his people followed the commando and his cattle. My master then told the Caffres to leave their assagais behind; they left them with some Caffres about as far in the rear as from this to yon corn-field (about 1,000 yards); when we got to the thick thorns one Caffre jumped in among the cattle and gave a shout; the cattle burst back, and the commando killed Seco and his Caffres, who were helping us to drive the cattle.

" When these Caffres were shot, where were then their assagais?—Their assagais were then with the Caffres, which were then as far as the corn land opposite. The Caffre who had jumped in among the cattle, and gave the shout, was also without assagais; he had only

only a kierie in his hand; he was not shot; they caught him, flogged him with sjamboks, and then my master ordered him to be let loose.

" Where was Seco going when he was shot?—He was helping us to drive on the cattle. My master had told him to come to the commissioner-general and commandant to see whether he could get back his cattle; but whether he was then intending to do so I cannot say.

" How many Caffres were shot besides Seco?—I do not know.

" Did you see any Caffre throw an assagai at any of the commando?—No.

" Did you see a single one of the Caffres, who were helping the commandant to drive the cattle, or who accompanied the commando when the Caffres were shot, with an assagai in his hand?—No.

" What did the Caffres do, which were in the rear with the assagais, when Seco and the other Caffres were shot?—I could not see them; we were then in the thick thorns.

" Did you see any assagais after the Caffres were shot?—No.

" Did you hear anybody say that the Caffres had thrown assagais?—No.

" It is necessary to observe that the witness prevaricated repeatedly, and that with difficulty the above answers were procured, so that his statement must be receivedwith much suspicion.

" Saturday, 16 July 1831."

Now, Sir, leaving you to judge which of the witness's statements is the true one, and in how far the others sent from the Cape, in that colony's present excited state, are to be relied on, without any cross-examination or other support, I proceed to show the grounds upon which my complaint against Erasmus was founded. My memoranda contain the following:

" New Post, Kat River, 13 July 1831.

" Having visited Chale's kraal during the day, and not finding him at home, I was overtaken by him here. He stated that he had been busily engaged in recovering stolen horses from the Caffres, and had already sent a great number to Fort Beaufort. He next complains that last year the Caffre chief Seco and six men were treacherously murdered, and one man dangerously wounded, by the division of the commando under Provisional Field-commandant Erasmus. Chale says, 'You told me that the commando would only seize cattle which should be recognized as stolen from the colony, and that no Caffre cattle should be taken, and no Caffre molested, unless the commando should meet with violence and resistance. I issued orders accordingly, that no opposition should be offered to the commando searching all the flocks. Seco seeing that Erasmus's party seized all the cattle of his kraals, asked him why he did so. Erasmus said he was ordered to do so, but told Seco he might accompany the cattle to Fort Willshire, and there demand them of you. Seco, with Erasmus's permission, selected the milch cows to leave at the kraals. He and several Caffres were assisting in driving the cattle through a bush, when some Caffres on the adjacent hills shouted; the cattle made a rush, and the burghers commenced an indiscriminate fire in the midst of them. Seco, and six men fell dead on the spot; an eighth Caffre was wounded, but has since recovered. All these Caffres were unarmed. Erasmus had told them to leave their assagais behind, which they had done, only taking their kieries.

" Commissioner-general: 'Did you see all this?—No; I was with the division under Captain Aitchison; but, because you told me at Fort Willshire that the Caffres had attacked the boors, and that you would seize the cattle taken from their kraals, I inquired and found the case as I have stated.'

" Commissioner-general: 'Who are your informants?—Several Caffres who were present, and can be produced.'

" July 14, 1831.—Having reached the location of the Provisional Field-cornet Groepe, I was met by the Caffre chief Macomo, complaining of the murder of the chief Seco and his men, stating the whole affair, as had done the chief Chale yesterday evening, with this difference, that his informant did not tell him the exact number killed, together with Seco. Macomo moreover complains, that lately one of his men was shot by a patrol in search of cattle. Being questioned, he says, 'I was not present, and do not know the particulars.' Commissioner-general: 'You must inquire; for if he either stole the cattle, or threw or threatened to throw assagais at the patrol, he could not expect to be otherwise treated.'"

That these accounts shocked me is but natural; but so loth was I to give credence to so heinous a charge against a person to whom certainly I was rather partial, that though I wrote to the government the day after Chale's statement, and the very day on which that of Macomo was made, and had to comment strongly on the affairs of the frontier, I did not mention a word on the subject, being determined first to satisfy myself more fully. I consequently, as soon as I had an opportunity, sent for Boezak unexpectedly, and received the account which I have inserted above.

Erasmus was then going on the commando authorized by the governor, and I sent him this notice:

" Provisional Field-Commandant, 16 July 1831.

" If you come to the frontier, I advise you to hear what is charged against you by the Caffres about the death of Seco, in order that you may defend yourself against it. I have heard your Hottentot Boezak, but he constantly prevaricates.

" Your servant,

(signed) " *A. Stockenstrom.*"

Captain *A. Stockenstrom.*

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No defence was ever made that I heard of, and no sort of notice was taken of the letter. I soon after again proceeded to the frontier, and there heard the provisional field cornet of the Hottentot Locations, a most respectable man I believe generally admitted to be. Here follows his statement:

" Balfour, Kat River, 27th August 1831.—Provisional field cornet C. J. Groepe questioned, states: ' I was on the commando last year, but not with the division which shot Seco and his people. I was with Captain Aitchison's party; but Lodewyk Peffer, who was with the party under Erasmus, told me that the Caffres were innocently shot. Lately two boors, Johannes Van der Merwe and Geys Van Rooyen, were disputing on the subject in my house; Frans Sieberts, Peffer, another Van der Merwe, and myself, were present. Johannes Van der Merwe said that he himself had begun by firing a loose charge among the cattle; Van Rooyen said, You did wrong; nothing could be more unjust than the killing of the Caffres that day. Van der Merwe justified the act; he, Van Rooyen and Peffer agreed that the Caffres were unarmed.'

" Peffer required to be present at Groepe's residence this evening, and a message sent to Chale to assemble as many chiefs as possible at his kraal next Monday, as well as such Caffres as were present when Seco lost his life.

" Lodewyk Peffer having appeared at Groepe's this evening, August 27th, and being questioned, states, ' I was with the commando under Erasmus last year; heard Erasmus give Seco leave to pick out the milch cows, and to accompany the cattle to Fort Willshire, provided he should leave his assagais behind; saw Seco and a number of Caffres among the burghers driving the cattle with nothing but kieries in their hands; saw several of these unarmed Caffres shot by the commando, when the cattle made a rush, in consequence of the shout of some Caffres at a distance; cannot tell why these Caffres were shot; did not hear Erasmus order the people to fire; saw Seco shot, at least saw him run into the bush; heard a shot in that direction, and immediately after saw Jan Gryling come from thence, who said, I have shot the chief. Seco had a pair of grey pantaloons under a tiger-skin karos; as soon as the firing commenced he wept bitterly, and cried out, Botman, no joke! I advised him to run into a bush near us; he did so, but had hardly got into it when I heard the shot.'"

I must observe *en passant*, that this Peffer is considered more on a level with the boors than the Hottentots; at least he has principally lived among the former, especially with Bezuidenhout, whose evidence is one of those sent from the Cape, and whose near relation he is. Here also he is seen on the commando among the boors, and not with the Hottentots.

I proceeded to Caffreland on the 29th, and find the following memorandum of my conference there:

" Monday, August 29th, Choomie Chale's kraal; present, the chiefs Macomo, Chale, Anta, Feshia and several others.

" Commissioner-general: ' You are aware that a Hottentot has again been murdered by Caffres in the colony?'—Macomo: ' Yes; and before you required it we seized one of the murderers and delivered him over to you, with the cattle which he had stolen.' Commissioner-general: ' I understand there was a second murderer; and unless he also be given up, we must quarrel?'—Macomo: ' Every exertion is using to find him; I believe the reason why Botman is not here is, because he is engaged in that search.'

" After much discussion on this point, Chale said that there were three Caffres present who had been with Seco when he was killed. One of these then stated the matter exactly as it had been originally reported to me by Chale, with this difference, that ' as soon as the firing commenced Seco and the other Caffres tried to make their escape, and were pursued and shot in their flight.'

" Peffer again confirmed this statement; but the Caffre said that the man in the grey pantaloons was not Seco, but was another chief, who had succeeded in escaping unhurt."

Here I shall leave you and the Committee to judge whether I could any longer have abstained from the most serious representations, particularly when the practice of taking Caffre cattle by patrols continued to be carried on, and when I saw it proposed to fire upon the Caffres without any farther proof of their guilt than stolen cattle being traced into their kraal. And supposing the charge against Erasmus to be altogether false, was there no ground for further investigation? Ought not immediately an opportunity to have been afforded to the accused to disprove, and to the accusers to substantiate, that charge, at a time when the affair was still fresh in the memory of all parties; when unbiassed evidence might have been obtained, before a most bloody war had worked up the irritation and hatred against the Caffres to an unprecedented pitch? May I also ask what were then Colonel Somerset's replies to my letters to government of the 14th July and 31st August 1831, to which I referred him in mine of the 3d of the following month?

I have seen by a letter from the civil commissioner of Albany, entered upon the Committee's minutes, that he complains of not having had an opportunity of earlier inquiring into the matter. I do not believe that that gentleman has been found fault with for not doing so, for I did not conceive it to be his business. The transactions complained of were said to have taken place under military orders beyond the civil commissioner's jurisdiction, out of his district; and if his excellency the governor had deemed an inquiry necessary, he would have ordered a military court to enter upon it. Even if his excellency should have preferred the civil commissioner's interference, this officer would have received the order to do so direct from the secretary to government, with whom the business of his district was systematically carried on; so much so, that from the 18th August 1831 up to my leaving the colony

colony in March 1833, I did not receive one single communication from him in my capacity as commissioner-general. But the civil commissioner surely cannot mean that he was not aware of the accusations in question? I recollect perfectly their being publicly made in the Cape newspapers, by a traveller of the name of Bruce (I believe an officer of the East India Company's service). This caused a great sensation, and the inhabitants of the frontier petitioned the governor, praying that an investigation might be ordered; but this was refused, without the slightest reference to myself. At least I read these things in the newspapers. There was nothing then to prevent the civil commissioner inquiring, any more than now, if he did consider it part of his duty. I made my report to the governor, as in duty bound, and gave notice of it to the military commandant; and if, instead of all correspondence on the subject with me being dropped from that moment, a court of inquiry had ensued, I am convinced it would have been clearly proved that the information which I had received, and upon which my report was founded, was correct.

2801. *Chairman.*] Was Boezak the only Hottentot that was examined upon those questions, or were there some others?—Except that man Beffer, who may be either considered a Hottentot or a boor; Groepe also belongs to this class.

2802. Were the depositions and statements you have now read communicated to the government?—Upon receiving these informations, immediately my report was made to the government, with the expectation that an inquiry should immediately follow. My memoranda were simply notes taken down by myself, and this very evidence would have been brought forward. I have got the originals here: of course the clean copies were left in the office.

2803. You stated to the government that you thought inquiry was necessary, and that certain facts would be proved by it?—If I may be allowed to have my evidence of last session, I will read the very words: "I cannot better prove the mischief of our commandos and patrols than by giving the history of one which took place last year. You will remember, as it is recorded in your office, that upon the urgent representations of Lieutenant-colonel Somerset, I sanctioned an expedition into Caffreland about June or July 1830, with a view of recovering cattle stolen from the colony. The boors were told that any man taking Caffre cattle would be severely punished, but the Caffres were threatened that if they offered violence to the commando, the cattle of the kraals so offending would be seized to indemnify the colonists for their losses. Lieutenant-colonel Somerset was of course obliged to divide his force into several divisions; the one under Provisional Field-commandant Erasmus, came in contact with the late chief Seco. Erasmus, on joining the main body, reported that he had been furiously attacked by Seco and his people, and that this chief and several other Caffres had been killed in the rencontre. This was believed, and so reported to you. The Caffre cattle were disposed of as had been threatened; but it now transpires that Seco and six of his men were murdered in cold blood, and another Caffre was severely wounded. These unfortunate men were told by the provisional field-commandant that they might select their milch cows to leave at their kraals, and accompany the remainder to Fort Willshire to ask that restitution from myself, provided they (the Caffres) would leave their arms behind; they did so, and were assisting the boors in driving the cattle, when they were shot with nothing but their kieries in their hands. There could be no other inducement for this brutal conduct but to have a plea for the confiscation of the Caffre cattle. I have not been able clearly to prove that Erasmus gave the orders to fire, but the confidence hitherto placed in him renders his false report the more unpardonable, and his dismissal I think a very necessary example."

2804. Do you consider that your having called for the dismissal of Erasmus would necessarily produce an inquiry into the whole transaction?—This passage that I have now read I conceive cannot possibly appear in a letter to the government by an executive officer, without immediately leading to an inquiry. Erasmus could not possibly be dismissed without inquiry. It would be a most arbitrary principle to demand his dismissal if I did not expect an inquiry; and I have memoranda which will show the evidence I would have produced if that inquiry had followed, but it never received the slightest notice.

2805. Then you did not consider it necessary at the first instance to set out the evidence you had against Erasmus, but you contented yourself with saying that there were grounds for a charge against him?—Yes; the evidence is just in the original minutes, which would have been produced, and according to that

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the witnesses would have been called before the court. I never could expect that upon this Erasmus would be dismissed upon mere *ex parte* report.

2806. Nor did you expect that Erasmus would be let go perfectly free from all inquiry?—I have been long in the public service, and I never could fancy that such a statement would be made to any governor without leading to an investigation, and either showing me that I had been rather premature in writing too strongly upon that subject, by giving the accused party an opportunity of immediately clearing himself or giving the accusers (for I was not the accuser) a chance of proving their charge while the case was fresh in the memory of every one.

2807. What was the date of the first communication you made to government upon this subject?—It is dated the 31st of August 1831.

2808. Had you made any verbal communication upon this subject to Sir Lowry Cole in 1830?—It is impossible, because I did not know anything of this in 1830. I commended the man, I believe, in my report of that year. The first information I received is stated in the letter.

2809. What is the date of Boezak's examination?—The 16th of July 1831.

Sir *Rufane Donkin*, a Member of the Committee, Examined.

Sir *R. Donkin*, M.P.

2810. *Chairman.*] DO you wish to make any statement to the Committee?—I beg to be permitted to state to the Committee some circumstances relative to an old and most honourable public servant, Colonel Bird, who was for many years secretary to the colony of the Cape of Good Hope. This gentleman has written to me and complained that an impression has been made in the colony, and he has reason to think also in England, that he had suppressed a very main and essential article in the treaty which was made with Gaika in the year 1819, relative to the territory usually called the Ceded or the Neutral Territory; and the impression which Colonel Bird thinks has been made, is that he was for a forced occupation of this land by the British Government, whether Gaika liked it or not. Now I owe it to Colonel Bird to say, that when I went up to the frontier in the year 1820, Colonel Bird twice or thrice said to me, "I hope that you will not allow any representations which may be made to you to make you believe that Gaika has ceded that territory to the colony; he has done no such thing, for I was present during the whole of the conference last year. If, therefore, you want that territory, and find it for the benefit of the colony that you should get possession of it, it can only be by following up the treaty of last year, and by inducing Gaika by fair means, and by his own consent, to abandon that land to you." I did in consequence act upon the spirit, and the very letter indeed, of Colonel Bird's information. I made a treaty with Gaika, and he did yield that territory to us upon certain conditions, which I occupied on those conditions, and on those conditions only. I have been anxious to lay these facts before the Committee, in justice to Colonel Bird.

Lieutenant-Colonel *William Cox*, called in; and Examined.

Lieutenant-Colonel *William Cox.*

2811. *Chairman.*] WHAT office did you hold in the colony of the Cape of Good Hope?—I was there in the first instance as captain in the cavalry in 1824, 1825 and 1826. I was afterwards as major, commanding the Cape Mounted Riflemen, in 1829, 1830, 1831, 1832, 1833 and 1834. I was then major in the 75th regiment till the end of October 1835, when I left the colony.

2812. Where were you stationed at the time that the late irruption of the Caffres into the colony broke out?—I was at Graham's Town.

2813. Were the Caffres previous to that time in a state of turbulence, or of tranquillity?—They had been in a state of tranquillity up to the period of the irruption.

2814. Was there no restlessness known to exist amongst them?—Nothing very apparent; there had been, of course, stealing cattle, and those other things which occur so frequently there.

2815. Then there was nothing unusual?—Nothing very unusual, that I recollect; there was always a great deal of stealing, and patrols going to recapture cattle, which was a common occurrence there.

2816. It is a matter of common occurrence that the Caffres steal the cattle, and that commandos enter their country?—Not commandos, but patrols, agreeably to the directions of the governor; it is very common; there was scarcely a week

a week without application on the part of the farmers and boors, when I commanded at Fort Beaufort, for patrols to retake stolen cattle, and sometimes two or three in the course of a week.

2817. Were those patrols continually granted?—Always; and accompanied by the farmer himself, or one of his sons, people to whom the cattle belonged.

2818. Then there was, in point of fact, considerable irritation between the farmers on the frontier and the Caffres?—No; I do not call that considerable irritation; there was a constant demand for patrols, that was an usual and common occurrence, to recapture cattle, as the Caffres were in the habit of stealing constantly, as can be easily seen by the returns from the different parts.

2819. In the early part of January 1835 did you conduct an expedition against the kraals of Eno and Charlie?—I did.

2820. Can you inform the Committee of the particular instructions which you received for conducting that expedition?—I had written instructions from Colonel Smith, who was then commanding on the frontier, and I dare say I have a copy of them; but I know the object of them was, if possible, to induce the Caffres to withdraw from the colony: they had entered in very considerable numbers, I suppose 20,000, and were then a considerable distance in the colony; as far as the Sunday River, perhaps 50 or 60 miles in the colony: but the object was to endeavour to get hold of Eno, one of the principal chiefs, and to strike a blow in Caffreland, to induce them to withdraw from the colony.

2821. Did you get into the kraal of Eno unobserved?—Yes; I made a forced march, and got there before day-break, agreeably to my instructions.

2822. Did you take the people by surprise?—Yes; that was my great object.

2823. Did they appear to be prepared to make any resistance?—The few that we did get hold of, were armed, of course.

2824. What resistance did they make?—So far as that, they threw assagais at whoever came near them; a few of them at least were got at and shot by the patrols.

2825. Then are the Committee to understand that they made considerable resistance?—We could only get a few of them; the great body of Eno's people were in the colony at the time, destroying and plundering; there were only a few of them there in the kraal.

2826. When they found themselves surrounded, what did they attempt to do?—They were not surrounded; they were too cunning for that; we could only get at a few of them that were endeavouring to get away the cattle.

2827. Did they endeavour to make their escape?—Yes, certainly.

2828. Did your troops fire upon them when they were attempting to make their escape?—Yes.

2829. Did you endeavour to make any of them prisoners?—No, that was not possible; it is not possible to make a Caffre a prisoner; a Caffre never receives any quarter, nor does he ever give it.

2830. What evidence had you that those persons who attempted to make their escape, and upon whom you fired, were engaged in hostilities against the colony?—We knew that the great body of the Caffres were within the colony at the time, and had committed several murders, and had set on fire a great many houses, and had plundered several thousand head of cattle from the colonists; we knew that they were in open war upon the colony, and we endeavoured to retaliate as much as possible. I was sent with a military patrol, in order to intimidate them.

2831. What number were killed?—I suppose about 30 or 35.

2832. Were any females killed?—None that I know of; we never fired upon the females, they were never molested and never injured; I gave positive orders upon that subject.

2833. Was Eno's daughter fired upon?—Not that I am aware of. It is very possible that the women might be fired upon, and mistaken for men. Sometimes a man puts on a woman's dress as a disguise; the women have a different "kaross," as they call it, and sometimes they put on the dress of a woman; and it is very possible that a mistake of the kind might be made; but no woman was ever shot, except accidentally; the people had positive orders never to molest them, and so confident were they, that they never left their kraals.

2834. Were the son and two of the brothers of Eno shot at that time?—I believe some of his family were.

2835. You did not hear whether his daughter also was shot?—I saw a state-

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ment in some publication shown to me either at the Cape or here, of such a circumstance, but she certainly was not shot intentionally. I gave positive orders that the men should not attempt to interfere with the women, nor molest them in the slightest degree; nor have they ever done so to my knowledge in the whole of the Caffre war, except perhaps in night patrols or things of that kind.

2836. In the end of July 1835, did you command the escort which brought a number of missionaries and traders into the colony from Caffreland?—I did in the end of February.

2837. What number of troops had you for the purpose?—Between 200 and 300; not all troops; I had part of a company of the 75th and part of the 72d, and the remainder were some Hottentots and some boors, the usual kind of force that they have there; and about 40 mounted riflemen.

2838. Did the Caffres harass your troops and make frequent attempts to cut them off when you were coming out of Caffreland?—They made a display of doing so; a great number of men appeared upon the hills.

2839. Did they make any actual attempt?—No, they made a display of it; and if there had been any small parties or stragglers, they would have been put to death, no doubt.

2840. In what part of Caffreland did you find the missionaries and traders?—At Burn's Hill.

2841. And at Wesleyville?—No, the missionaries had collected at Burn's Hill; they had collected from four or five places.

2842. How many persons did the whole of the party whom you brought with you, consist of?—I think 35 in all, traders, Europeans and missionaries.

2843. What was the proportion of the traders and their families to the missionaries and their families?—I think the missionaries were the greater proportion; but I made an official report, and gave in the names of all the people to the officer commanding at the time.

2844. In what circumstances did you find the missionaries placed?—I saw the application from the missionaries to Colonel Smith, begging that a force might be sent to bring them out of Caffreland, as they were in considerable danger, and expected daily to be put to death.

2845. What missionaries signed that request?—Mr. Laing, Mr. M'Dermot, Mr. Ross, Mr. Benny, Mr. Kezer, and there may be some others, but I do not recollect all their names at present.

2846. Had they been plundered?—Their houses were burnt, all of them, except the houses of the people I found at Burn's Hill, and which the old widow of Gaika protected.

2847. Were those houses burnt while they were in possession of them, or afterwards?—I cannot say; I found them all collected at Burn's Hill for safety.

2848. Had their lives been actually threatened by the Caffres?—So I understood from them; I saw a great expression of joy in their faces upon my arrival there.

2849. Had any violence actually been committed upon any one of them?—I cannot say any actual violence, but they were certainly in dread of their lives; and they appeared most grateful for the assistance sent to bring them away.

2850. But it did not come to your knowledge that actual violence had been perpetrated?—If a Caffre attempts violence, there is an end of it; he puts the man to death at once, and no man lives to tell anything about it. The Caffre never gives quarter, and he never expects quarter himself; he never receives it, in fact.

2851. Had the missionaries suffered much from want of food?—No, they had food there at the time; of course it could not have lasted long.

2852. Then the Caffres had not deprived them of their food?—No; they had something to eat in the house, I recollect.

2853. What was the date of the period at which you took them under your portection at Burn's Hill?—I arrived there in the afternoon of one day, and brought them away the next morning.

2854. What day was that?—I do not exactly recollect.

2855. Was it in January or February?—It was either the end of January or the beginning of February.

2856. Then they had been a month in Caffreland after the irruption had broken

broken out?—The irruption took place in the end of December; it must have been a month.

2857. During that time none of them had lost their lives, and no instance of any attack upon their persons had taken place?—Some of the traders were murdered, but none of the missionaries were murdered; but they were threatened to be so, and were in great alarm, as their letter to the officer commanding the troops upon the frontier will show: they applied officially, and a copy of their letter could be shown. Before I went there, I consulted Mr. Thompson, and he told me that it would require a much larger force to bring them out than the force I went with.

2858. Did you find some of the traders living with the missionaries?—Yes, they had joined them there, except one or two that had been murdered.

2859. Had those traders gone to that settlement for the purpose of obtaining protection?—I believe so; in fact I know that Gaika's widow saved the life of one or two of them and of the whole party, otherwise the whole would have been murdered.

2860. The queen of the country afforded them protection?—Yes.

2861. What number of traders were in Caffreland when the war broke out?—I am not prepared to state.

2862. Do you suppose the number was 200?—I know nothing about the traders.

2863. How many were murdered during the first month of the war?—I heard of two or three that I know of.

2864. Those persons at the breaking out of the war were completely in the power of the Caffres?—Quite so.

2865. And yet, out of all the traders that were in Caffreland, you only heard of two or three that were murdered?—I only recollect two or three.

2866. Were any number of the Caffres killed in engagements during the month of January?—Yes, certainly, a good many of them; they were repulsed and attacked wherever they made their appearance, by the parties that went in search of them, and the parties defending the posts. They made an irruption into the colony in very considerable force, some 20,000 perhaps, along an extent of upwards of 200 miles from Winterberg to the sea, and they penetrated the colony in various directions. They burnt every house and murdered every man they met with; they attacked every military post they could assail with any chance of success.

2867. Were many of the habitations of the Caffres destroyed during the month of January?—Some of their kraals were burnt. The habitation of a Caffre is a thing of no value; it consists of twigs put together, built by the women, and covered with a little clay.

2868. Then their property was destroyed as well as their habitations?—They had no property except their cattle; their corn was not ripe.

2869. Had their cattle been driven away?—I did not take the cattle away from Eno's kraal, but generally there were none to be had, they drove all the cattle away, so that you could not take their cattle; they drove all of them into the interior, with all the colonial cattle they took; there was nothing left whatever.

2870. Did you understand that our parties took the cattle where they found any?—They could not find any; the Caffres had left none in the country, they drove all into the interior.

2871. The habitations of the Caffres, to which of course they themselves attach some value, were destroyed?—The Caffres have told me a hundred times that they did not value their huts.

2872. The country had, however, been entered and ravaged by our troops, and in different places a number of Caffres had been killed?—Wherever we did meet Caffres, of course they were destroyed; they attacked us, and of course we were obliged to repel them.

2873. The country having been entered and ravaged by our troops, and a number of the Caffres having fallen, was it at all surprising that in many instances they should have retaliated, by putting to death two of the traders?—I beg leave to state, that the Caffres made war upon the colony, and the troops were ordered to repel them; and of course, wherever they found them, the only means to repel the Caffres was to shoot them.

2874. It is acknowledged that we were at war with the Caffres, and the

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Caffres with us; but is it surprising, after the sufferings which the Caffres had had to endure, and the number of their people which had been lost, that they should so far have retaliated as to put two of the Europeans to death who had fallen into their hands?—I do not exactly understand the meaning of the question. The Caffres made war upon the colony, and there was an amazing irruption of Caffres, of some 20,000; they destroyed every house and murdered every person they met, and took some thousand head of cattle from the colonists.

2875. Can the Caffres be justly charged with extreme barbarity and cruelty, inasmuch as being in this situation, and having seen many of their brethren destroyed, they retaliated by putting some Europeans to death?—I cannot regard that as the position in which they were placed; because the colonists did not make war upon the Caffres; they made the war.

2876. Do you conceive that the Caffres considered that they alone were the aggressors; or did not they conceive, right or wrong, that the Europeans had taken possession of their country, and had annoyed them by repeated patrols and commandos?—That is going into the general policy of the question, which I do not feel myself quite capable of answering; but I mean to say, that the Caffres felt themselves wrong, because the chiefs repeatedly told me that they were wrong, and they were very sorry for it. They were well aware that they had done wrong in making war upon the colony in this instance; in several conferences that I had with them, they acknowledged that they were wrong.

2877. Is it surprising that when so many of their brethren were put to death, they put to death some Europeans?—They began it with respect to this war.

2878. Without considering who were the aggressors, the fact being that war existed, and that many of their brethren had fallen, was it surprising that they should have put some Europeans to death?—They put great numbers to death, and not only put them to death in the colony, but wherever they met them; they attacked the colony, and put a great number of people to death in the colony.

2879. At that time?—Yes.

2880. You were understood to say that you only heard of two traders being put to death?—I only knew of two or three in Caffreland.

2881. Is it surprising that out of the considerable number of traders that were beyond the frontiers of the colony in Caffreland, and who were therefore exposed to the mercy or to the cruelty of the Caffres, that some few should have fallen, seeing that our people had destroyed a considerable number of the Caffres themselves?—Those traders were admitted under the protection of the chiefs, they had given them permission to reside in the country; and therefore of course they would hesitate before they put them to death, as they could put them to death at any time.

2882. If the traders were in the power of the Caffre chiefs, why did not the Caffre chiefs put them to death, if they are such a bloody-minded people?—I cannot say what their motive might have been.

2883. Sir *Rufane Donkin.*] You have described this as a very general and great irruption of the Caffres; do you think this great and general irruption of the Caffres was the result of advice and encouragement from anybody?—From a conversation I had with Macomo and several of the Caffre chiefs, they seemed to imply that they were encouraged to come into the colony.

2884. By whom?—I did not push the question; I had special instructions from his excellency the governor as to the object of that interview which I had when I went among the Caffres. I was exposed there, being surrounded by several thousands of them, and that was not one of the points I was sent to discuss.

2885. Being an officer of rank, did not you think it desirable to ascertain whether there were any concealed traitors within the colony?—As the only means of communicating with the Caffres, I was obliged to trust myself amongst them; I went in; and there were particular points comprised in the message, and I did not like to deviate from them.

2886. Did you understand that they had been so encouraged?—I think they told me so; they said that they were encouraged, and they were led to it by some correspondence or intercourse with some people in the colony.

2887. Then you think that the Caffres had spies or friends within the colony, with whom they were in correspondence?—I do not know that the Caffres had spies

spies within the colony; but there were people that went among the Caffres, and had communication with the Caffres.

2888. *Chairman.*] Did you ever question the chiefs, or hear them questioned, as to any advice given, or communication made to them, by Dr. Philip, or Mr. Read, or any of the other missionaries, before the war broke out?—No, I did not.

2889. Did Macomo in your presence declare that he had not been actuated and instigated by Dr. Philip?—Dr. Philip's name was never mentioned in any conversation I had with the Caffres. Macomo told me he had reasons for making the war, and that he was led to it by people; he did not say whom, and I did not press the matter.

2890. Sir *Rufane Donkin.*] Do you think that the Caffres were encouraged at any time by any persons within the colony to assert their own independence, or to avenge any supposed injury?—I should be led to think that they were so, from writings and from discussions I have heard of, and from different things in the colony.

2891. But you cannot at all name the persons who were engaged in such intercourse?—No, I cannot name individuals.

2892. Do the Caffres consider the whole of the inhabitants of the colony, without any exception, as their enemies?—No, till war broke out the Caffre people were on friendly terms with the frontier people.

2893. Did the Caffres believe that they had any persons in the colony who commiserated their sufferings, and from whom they would get assistance?—I think they had that impression.

2894. But you still say that you cannot at all point out the persons to whom they looked?—Yes.

2895. Mr. *Gladstone.*] You were asked whether the Caffres had spies within the colony; to which you replied in the negative; but you said that there were parties who went beyond the frontier apparently for the purpose of acting in concert with the Caffres, or of stimulating the Caffres?—There were people that travelled frequently in Caffreland.

2896. Are those the parties to whom you are inclined to ascribe the having given encouragement to the irruption of the Caffres?—I think, from the general nature of the arguments I have heard used in favour of the Caffres, and that were disseminated amongst them, they have done a great deal of harm.

2897. You think it possible that the Caffres might have been incited by the general nature of those arguments, without its having been intended that that effect should be produced by those who use them?—Yes, I do. I think myself they were further induced by having the supposition that the Hottentots would join them.

2898. You do not ascribe to any persons within the colony the deliberate intention of encouraging that irruption of the Caffres?—Except the general tenor of the writings of the editor of the Cape Town paper, and some travellers. I had occasion myself once to write a refutation of a statement by a traveller upon the frontier, and Mr. Bruce, who came up in company with Dr. Philip, who went up to Mr. Read's station, and made a most erroneous statement in the Cape Town paper.

2899. Have you a strong opinion of the tendency of those writings to disturb the peace of the frontier?—I have no doubt of it.

2900. With regard to the traders that were put to death, are you aware of the period at which they were put to death?—It was about the time of the irruption of the Caffres.

2901. Before or after our troops were in motion against them?—Before we invaded the colony; at least before the army went into Caffreland.

2902. Before any retaliation had been committed upon the persons or property of the Caffres?—Yes, it was before the troops advanced into Caffreland; almost at the commencement of it.

2903. You said that the settlement where the missionaries resided with the traders was open to the attacks of the Caffres for the period of a month?—Yes. I believe the missionaries of the Chumie Institution withdrew; they were close to the colony; the people at Burnshill could not.

2904. Were the Caffres in that neighbourhood during that month?—Yes.

2905. Were the chief part of the missionaries collected there?—Yes.

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2906. Had they any means of resistance to the Caffres?—It was impossible, living in thatched cottages.

2907. Were those traders who escaped there armed?—I think the Caffres took all their arms from them. When we came to them I am certain they had no arms.

2908. Mr. *Gladstone.*] At what period did the Caffres take their arms?—At the commencement of the irruption.

2909. Did the Caffres take their arms from any of the traders whom they did not put to death?—Yes.

2910. You said that the queen saved those traders; to what motive is that to be ascribed?—I cannot say; to motives of humanity, I should hope. She protected all the missionaries at Burnshill, and the traders.

2911. Was she in connexion with the missionary institution?—Yes, she was living on friendly terms with them; living near the institution, near Gaika's old residence.

2912. Do you think that at the period of the irruption the Caffres retained a strong sense of the European aggressions upon their territory?—I should think that former aggressions, at the time of our dispossessing them of the country, might have had some influence.

2913. What period had elapsed since they had been dispossessed of any portion of their country?—The Kat River was the last, and Macomo being dispossessed from the neighbourhood of Fort Willshire.

2914. The expulsion of Macomo was grounded upon particular facts and supposed offences of Macomo, was not it?—I suppose so.

2915. It was not in the nature of a gratuitous aggression?—No; he was permitted, upon good conduct, to reside within the colony; he was removed in consequence of the Caffres having stolen considerably from the colonists.

2916. Mr. *Bagshaw.*] You recollect the murder of Messrs. Henderson and Mahony?—Yes.

2917. They were traders?—No, they were not traders; they were residing in the colony at their own houses; it was Mr. Mahony's house; Mr. Henderson was his son-in-law, and at the commencement of this irruption he was trying to come away; he was attacked by the Caffres and murdered: at the first irruption they murdered every man.

2918. And they made no resistance?—Resistance would have been useless; they were surrounded by hundreds.

2919. Do you remember a Mr. Brown?—Yes.

2920. Did not he go among the Caffres at their desire to hold a parley with them?—Yes, he went to hold a parley with them; it was also in the colony that he was murdered. Whittaker, who accompanied him, was also murdered.

2921. Can you state how many colonists were murdered and lost their lives in the first irruption; was their any account of it taken?—Yes; it is very well known; I suppose about 100; every man they got hold of, of course they murdered; but the number is well known; there is a return made, and the name of every individual can be ascertained.

2922. And about 30 Hottentots?—Yes.

2923. *Chairman.*] Do you mean to say that 100 of the traders were murdered?—No, of the colonists; and it is not to be wondered at, because the extent of the irruption was upwards of 200 miles.

2924. You mean during the whole of the war?—Yes, till there was a sufficient force collected to drive them out of the colony; in fact, the defenceless state of the frontier was in a great measure the cause of the irruption.

2925. Mr. *Gladstone.*] What do you consider would have been a sufficient force to prevent it?—Certainly 2,000 men upon that frontier.

2926. Instead of what number?—Instead of six infantry companies and the 200 that I had in my own corps.

2927. Mr. *C. Lushington.*] You said that certain paragraphs in one of the Cape newspapers had operated to encourage the Caffres to the irruption; have the goodness to state how the Caffres became apprised of the contents of such papers?—I did not allude to any particular paragraph; but the general tenor of the writing of that paper, being circulated among the Caffres, might have given them an idea that there was a party of colonists that thought them injured, and that they might be warranted in endeavouring to retaliate.

2928. Are the Committee to understand you to say that the colonists directly communicated to them the contents of those papers?—I think it is possible that they

they might have been disseminated among the Caffres, they might know that there was a strong party in their favour.

2929. Do the Caffres any of them understand English?—No, except a few interpreters that were brought up at the missionary institutions; some of them understand Dutch, and they can easily communicate.

2930. Do you imagine that those newspapers were regularly communicated to the Caffres?—No; only the general tenor of the writing.

2931. Do you suppose that they were imparted in writing or by personal communication?—Of course it could be only by personal communication.

2932. Does not it appear to you an act of disaffection on the part of any British subject to make such communication to hordes of people at war with us?—Most decidedly, to instigate them to war.

2933. You stated that you were unable to mention the names of individuals that had communicated with the Caffres; did you mean that it was not in your power, or that you were unwilling to mention the names?—I am not aware of any individuals that communicated with the Caffres.

2934. *Chairman.*] Do you consider that a knowledge of the fact that some of the colonists thought the Caffres had been ill treated by the occupation of their territory, was calculated to stir up hostility in their mind against the British government?—I certainly think that the writings that appeared in the Cape paper must have had a tendency to make the Caffres dissatisfied with us; to make them think that they were injured, and there was a party in the colony in their favour.

2935. Was it possible to conceal from the Caffres that there were persons in the colony, and that there were persons in England who conceived that they had been oppressed by the usurpations of their territory?—It is not possible to conceal that, certainly.

2936. It might therefore have been without any evil intention communicated to them that there were persons who thought that they were oppressed, and wished that that oppression should be redressed?—Yes, I think so, certainly.

2937. Mr. *Gladstone.*] Are the Committee to understand that you object not so much to the opinion itself, or attribute dangerous consequences to the maintaining the opinion that the Caffres had been oppressed, as to the manner in which that opinion was expressed, and the temper and spirit in which it was supported?—Of course it must depend upon the manner in which it was conveyed to the Caffres.

2938. *Chairman.*] Are you rightly understood that the Caffres, when the traders were in their power, took away their arms, but did not deprive many of them of their lives?—If they had arms (I am not certain that they had, but if they had arms), they certainly took the arms; they always get arms whenever they can.

2939. But you entered Eno's kraal unobserved, and destroyed as many as fell into your hands, making no prisoners, and killing 30 of the natives?—My object was to get there unobserved, or else the purpose for which I went could not have been accomplished.

2940. Then, looking only at the mode in which the warfare was carried on, do not you think that they were more lenient in depriving our people only of their arms, than our people were in depriving them of their lives?—Not at all; because they gave us no notification at all; they attacked the colony and murdered every man they met; they burnt every house, and drove all the cattle out of it, and it was natural to suppose that we should make some retaliation for a thing of that kind; and consequently I was sent to make a diversion into Caffreland, in order to induce them to withdraw their people out of the colony.

2941. But the fact was, that in the first instance, with respect to the traders that fell into their power in Caffreland, they deprived the majority of them of their arms and not of their lives; whereas when you entered Eno's kraal, you went with the same degree of secrecy, but you deprived all the people of their lives?—But there were 20,000 Caffres in the colony at the time.

2942. Suppose they had murdered every missionary that fell into their power (and they did not murder one), and every trader in the colony which fell into their power (and you have only heard of two who were so murdered), would they have done more than you did in attacking Eno's kraal, and putting all that you met with to death?—They had reasons for sparing the mission-

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aries, and the traders had been admitted there, in the first instance, under a promise of protection from their chiefs; but that they did attack the colony and murder every man they got hold of, I do know.

2943. Mr. *Gladstone.*] Do you think the two cases are parallel, or capable of comparison?—No, I do not see any analogy at all between the two cases.

2944. What was the date of your attack upon Eno's kraal?—It was in January; I can tell the date by a reference to my papers.

2945. When the frontier was in a state of war?—When the Caffres were in the colony.

2946. And when consequently you were engaged in a retaliation?—I was sent with a view of inducing them to withdraw from the colony.

2947. And those whom you put to death were persons towards whom you stood in the relation of an enemy?—Yes.

2948. With respect to the traders that were put to death, were they living in Caffreland under the protection of their chiefs?—Yes.

2949. And consequently the Caffres were bound to them by the distinctly understood obligations of good faith?—Certainly.

2950. The traders, then, were persons who stood in an amicable relation towards them?—Yes.

2951. And they put those traders to death without having received any offence from them?—Certainly.

2952. Do you consider, then, that the Caffres putting even those two traders to death must be called an act, independently of its cruelty, of the grossest bad faith?—Certainly.

2953. Is such an act capable of being compared to retaliations made in a state of war upon an invading nation?—There is no analogy at all, in my opinion.

2954. *Chairman.*] Are you aware that two patrols, one under the command of Lieutenant Sutton, and the other under the command of Ensign Sparks, had entered Caffreland before any of the Europeans had been murdered?—Yes.

2955. Are you aware that at that time, in both of those expeditions, the Caffres were fired upon, and in one the brother or the son of the chief was killed?—I am aware of the patrol that Mr. Sparks was sent in with after stolen cattle, and in bringing back the cattle the Caffres attacked the patrol, and Mr. Sparks was wounded; and I am aware that Mr. Sutton went to retake stolen horses, and the Caffres attacked them in great numbers, surrounded the patrol with Caffres, and the whole of the party would have been destroyed had the firing of the patrol not been heard at Fort Beaufort, and then a party was sent to their relief; and in that firing one of the chief's brothers was slightly wounded, but not killed. I have spoken to the man repeatedly since.

2956. Mr. *A. Johnston.*] Where were the two traders killed that you have mentioned?—One was killed at Tzyali's, and the other near Burn's Hill.

2957. *Chairman.*] What was the date of that?—It was in the early part of the attack.

2958. Your attack was made upon Eno's kraal about the 9th or 10th of January?—I cannot state to a day.

2959. Were you aware at that time that those traders had been murdered?—I do not know; I might have heard of it.

2960. Mr. *A. Johnston.*] One was killed by Tzyali's people?—Yes, and one by the people in the neighbourhood of Burn's Hill.

2961. Whose people were they?—Macomo's people, I think.

2962. Do you know of your own knowledge that those traders had promises of protection and safe conduct from Tzyali and Macomo?—I always understood that the terms upon which the traders entered must of course be by the permission of the government, and afterwards by the promise of protection of the Caffre chief.

2963. But you do not know that they had in fact promises of safe protection from the very people that killed them?—The chief of course, in the first instance, gave them permission to reside; they could not have resided without, in that country; and of course the giving them permission to reside, was giving them a promise of protection.

2964. Mr. *Gladstone.*] Do you suppose that they were murdered by the tribes of

of the country in which they resided?—There is no doubt of it, and they plundered them of every thing; I saw their houses afterwards.

2965. It was said that the Caffres never give quarter?—Yes, and they never expect it.

2966. Then does not it rather appear to be a mitigation of the usual method of warfare, if they did in some instances plunder without murdering?—They never do amongst themselves; when they get a man in their power they always put him to death.

2967. Does not it appear then that they have pursued a mode of warfare towards the Europeans which, however blameable in point of bad faith, was milder than that which they pursued in their own reciprocal feuds?—No, it is just the same; they did not make any difference.

2968. Do you know the situation of the kraal to which Ensign Sparkes was sent; whether it was in Caffreland or in the ceded territory?—It was in Caffreland.

2969. And with regard to the affair of Lieutenant Sutton, where did that take place?—In what was called the ceded territory.

2970. Was that considered to be within the colony?—Yes; they followed him close to Fort Beaufort, within hearing of Fort Beaufort, and they surrounded him there.

2971. Had a considerabie number of Caffres been domiciled within the limits of our colony previously to the war?—Yes.

2972. Did any of them suffer in the retaliation inflicted by us upon the Caffres beyond the frontier?—No, they withdrew; they went away all, except those that came into the colony; all the rest withdrew out of reach altogether.

2973. You were understood to say that they had been peacefully domiciled within the colony?—They joined the Caffres.

2974. Did they join the invading force?—Yes; and all that did not, withdrew as far out of reach as possible.

2975. We had no means of inflicting upon them any special punishment?—No; they withdrew some days previous, with all their cattle and all their property.

2976. Mr. *A. Johnston.*] What was the amount of your killed and wounded after you had finished that expedition which you made in the middle of January to Eno's kraal?—There was one or two wounded, that I recollect; there were several assagais thrown.

2977. Have you any return of the killed and wounded on the Caffre side?—Only those that were seen; about 35 seen dead. I was ordered to do this as military duty; I had no discretionary power; I was ordered to inflict as much punishment upon the Caffres as possible, to give them a lesson.

2978. You made another expedition in the month of August into Caffreland?—I went into Caffreland with the army, commanding a division of it, in March, and was in Caffreland the whole of the time till the end of the war.

2979. Have you any returns of the killed and wounded during that time?—Yes; they were always forwarded to head quarters.

2980. How many might those amount to?—I cannot say.

2981. Did you also furnish returns of killed and wounded on the part of the Caffres, so far as it was known?—It was always reported.

2982. Did you state that the Caffres upon one occasion attacked your division?—No; the Caffres invariably kept as much as possible away from us; that is their mode of warfare, and there was no possibility of getting at them; if they could have been got at, the thing would have been soon settled; but that is their system of warfare, to get away in the mountains and ravines and inaccessible places.

2983. Then although sometimes appearing in numbers, they never came forward to a stand-up fight with your troops?—No, they always avoided it.

2984. Mr. *Gladstone.*] You do not happen to have been informed that a number of Caffres that were domiciled in the colony were taken into custody, and kept at Graham's Town during the war?—No; but I know that they were the principal means of getting at the cattle, because they were acquainted with the farms; some of them had been servants to the farmers, and they knew the country.

2985. Were they the principal means of enabling the Caffres to get at the

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colonial cattle?—Yes; because they knew the country, and they knew the passes and the fords.

2986. *Chairman.*] You were instructed to deliver a message to the Caffre chiefs, by the governor?—I was.

2987. What was the date at which the first communication to the chiefs, Macomo and Charlie, was made?—I think it was in April. I received instructions from his excellency, if possible, to have an interview with them, and to induce them to surrender themselves upon certain terms, and to make an offer of peace to them, in April or May.

2988. Then it was while Hintza was in the British camp?—I beg to state that I was a considerable distance from his excellency; his excellency was with one division of the army that went beyond the Kei, and I was left in charge of the other force on the Deeby.

2989. Was the message you were desired to deliver, that if they would surrender at discretion their lives should be safe?—Yes, that was part of it.

2990. But with respect to all but their lives, they were to be left at the discretion and the lenity of the governor?—I believe that was part of the instructions, that their lives and property were to be spared if they surrendered themselves, and that they must await the decision of his excellency how they were to be further disposed of. I can produce the instructions I received.

2991. You were not instructed to say more to the chiefs than that their lives should be spared?—Their lives, their families, their cattle, and whatever they possessed.

2992. Were the words these: "A promise to the tribes that they should have present safety and protection, and possession of their cattle and the effects belonging to them; and that the chiefs themselves, if they would come in and deliver themselves up unconditionally, should have security of their lives, and await the ultimate command of His Majesty the King of England for their future disposal;" without a word being said about their property?—I think those are very nearly the words.

2993. How were you, as instructed to make this communication, received by the Caffres?—I placed myself in the power of the Caffres voluntarily. I could not get an interview with the chiefs; they would not come into my camp; I tried several times to get them, and I could not induce them; and, consequently, I was obliged to do what his excellency did not wish me to do, to place myself in some measure in their power. I went to the interview with Macomo and Charlie with only one officer and two orderlies.

2994. Was any assault made upon you?—No, because I had a previous communication. I told them that I had instructions, and that I wished to speak to them. They would not come unless they had a considerable force, and I was obliged to go to meet them.

2995. At the time you were in the power of the Caffres, were they aware that Hintza had been considered as a prisoner by Colonel Smith?—Unfortunately the very morning I saw Macomo and Charlie they had got a message from Hintza, telling them not to trust themselves, for he knew the terms offered to them, and Hintza sent two messages, and unfortunately those men told them not to place themselves under our protection; that he was under surveillance in the governor's camp, and he told them not to trust themselves in our camp; and but for that message from Hintza, I think they would have come into my camp and have complied with the governor's instructions.

2996. Then, in fact, if Hintza had not been made a prisoner they would have complied with the terms offered to them?—I think it is possible they would have come into my camp, and have heard the terms and have talked over the matter, and I think they would have been induced to come forward more unreservedly than they did after getting that message.

2997. Then do you believe that the negotiation which promised to restore peace to the colony, was in point of fact broken off in consequence of Hintza's declaring to these chiefs that he had been made prisoner?—The chance of communicating with them was interrupted by that message, no doubt. They would not come to me; and I had nothing left but to place myself in considerable jeopardy by going to them.

2998. Did not the fact that Hintza was a prisoner seem to produce a considerable excitement among the border chiefs, and lessen their confidence in the English?—Of course it did.

2999. They

2999. They were informed that Hintza was made prisoner, and it produced some excitement amongst them, and you were in their power at the moment; did they retaliate in any way upon you; did they make any assault upon you, or retain you as a prisoner?—No, certainly not; they met me at my request, and of course under any circumstances they were bound to be upon honour, and not to do anything of that kind. Lieutenant-Colonel *William Cox.* 18 April 1836.

3000. Was not it at Hintza's request, and by his own free will, that he went into the British camp?—Yes, no doubt.

3001. Therefore, as far as that circumstance is concerned, you were in a parallel condition?—Certainly; but it is well known that Hintza's object in coming into the camp was to delay the governor's advance, and to get the cattle in a place of greater security, and that was his object in all his communications with the governor. That was well ascertained.

3002. Was Hintza a prisoner at the time that he sent the message to the chiefs that he was a prisoner?—I do not know what state he was in; he was in the governor's camp.

3003. You have stated that they did not assault you; did they at all threaten to molest you?—No.

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*Mercurii, 20° die Aprilis*, 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Charles Lushington. |
| Mr. Andrew Johnston. | Mr. William Gladstone. |
| Mr. Charles Hindley. | Mr. Henry Wilson. |

MR. FOWELL BUXTON, IN THE CHAIR.

The Rev. *Hans Peter Hallbeck*, called in; and Examined.

3004. *Chairman.*] ARE you the head of the Moravian Missionary Institution in South Africa?—Yes. Rev. *Hans P. Hallbeck.* 20 April 1836.

3005. How many institutions are there of that nature belonging to your society?—There are five founded by us, besides which there is a missionary settlement called the Leper Institution, but that is a government institution.

3006. What number of natives belong to these Moravian institutions?—There were, on the last day of December, 3,474 in the six stations.

3007. How many schools are there?—In some stations there are three and in some two; I do not exactly know the number.

3008. Is there a school in every institution?—Yes, except at the Leper Institution, where there are no children.

3009. What do you consider the number of scholars attached to all these schools?—About 900. I have not got the exact return of last December, but three of the schools alone contain 700, and I believe the others about 200.

3010. Have you had the means of forming an opinion as to the capacity of the Hottentot children for receiving instruction?—I think they are just like children in every part of the world, as far as I can judge. There are some of very good capacity and some bad.

3011. Then do I understand you to say they are no better and no worse than children in an English village?—No, I should think it is the same.

3012. What is the proportion of people at your missionary institutions who regularly attend religious instruction?—I am not able to say in the distant stations exactly, but in the station where I live about three-fourths of the number of inhabitants, of those that are at home are daily at school or at church, except in case of sickness and so on.

3013. Do you mean to say that the whole of those that are at home at the institutions regularly receive religious instruction every day, except in case of sickness or something of that kind?—Yes.

3014. How long have you been in Africa?—Between 18 and 19 years.

3015. What is your opinion of the results that have ensued from the moral and religious instruction on the part of the natives?—It has had a very beneficial influence on their moral conduct, and also made them more industrious in their habits than they were, certainly.

3016. Have you seen any evil effect result from it in any way?—No.

 3017. Have

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3017. Have the Hottentots arrived beyond the mere rudiments of instruction, or have you led any of them into the higher branches of instruction, such as mechanics and arts of that kind?—At the station where I live one-half the population subsists by working at mechanical arts, cutlers, smiths, joiners, tanners, masons, carpenters, shoemakers, tailors, and so on.

3018. And one-half of them derive their subsistence from mechanical arts?—Yes, nearly one-half, or thereabouts.

3019. Are these settlements confined to Hottentots, or are there Caffres there as well as Hottentots?—There have been in our station, where I live, since 1809, several Caffre families, but they are chiefly Hottentots.

3020. What territory did the Caffres come from?—They were Caffres, I believe, who had been in the colony, and who got an order on a certain occasion, I think from Colonel Collins, to quit the colony, and they were on the road to the boundary when the government officer advised them to go and settle with us.

3021. Mr. *Johnston.*] In what territory was your settlement?—It was in the district of Caledon or Zwellandam. It was nearer to Cape Town than the boundary by far, only about 90 miles eastward of Cape Town.

3022. *Chairman.*] Have you found amongst the Hottentots a very extensive and a very inveterate disposition to idleness?—Many of them certainly are; but I find, wherever they have a prospect of remuneration for their services, they work. For instance, there are cutlers in our station who have never quitted the spot where they have been standing since 1795. Every day they are making knives.

3023. Then you find them extremely idle when they have no stimulus, but give them a motive and they are industrious enough?—Yes.

3024. Mr. *Johnston.*] What may be the result of your observations upon the Caffre character, so far as it is known to you?—I know very little of the Caffres, having been only twice for a short time in Caffraria; but so much I have perceived, that the Hottentots, at the stage where they are now, at least our Hottentots, are very superior to the Caffres.

3025. *Chairman.*] Have you had many proofs of the industry of the Hottentots?—A great many in our place. We have, for instance, in our kitchen, servants who have been there since 1798, and others, both men and women, who have been constantly employed for 20 and even 35 years, and we have seldom an instance of one leaving us except when they are married.

3026. Do they take pains in cultivating their own gardens?—Of course, that is half their subsistence, particularly in our place.

3027. Do you think that the gardens of these persons are as well cultivated as the gardens of cottagers in England?—No, not so well as in England.

3028. Are their houses taken care of?—Those that can afford it build substantial houses, and one can easily see, on passing by the houses, that those Hottentots who are steadily employed at home have always good houses, and those who have employment out of the place, who are generally not so well remunerated, have generally the worst kind of houses.

3029. What number of men have gone from your institutions to join the army for repelling the Caffres?—Upwards of 160; 165, I think.

3030. Whose duty was it to select the men to go?—I received a letter from the civil commissioner requiring me to raise 200 men to assist the field-commandant, who would come there; to find out 200 men. So many were not to be found, because it was just in the middle of harvest, in December, and 160 were raised.

3031. Did they volunteer to go, or had you any difficulty in inducing them to go?—I had no difficulty, because they felt it their duty as citizens to help their neighbours.

3032. Did the families of any of them accompany them?—None.

3033. Did any women, whose husbands had gone into Caffreland, follow them?—No, they were requested to follow them; there was a communication from government, and they were offered government should pay their conveyance, and supply them with victuals and so on during the journey, but they could not bring themselves to leave home.

3034. By whom was that proposal made?—It was made first by Colonel Smith to the men in Caffreland. The men refused, and a month after I got another letter from the civil commissioner, and then the civil commissioner came personally to induce the women to go, but they would not go. They said

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said they had no mind to leave their comfortable homes, and expose themselves to the vicissitudes of the contest.

3035. Their reluctance to leave their homes was the reason why they did not accept this proposition?—The only reason was, that they were anxious to have their husbands home again. It was promised to the Hottentots, (those are the very words I received in the letter from the civil commissioner), that they might depend on their being released as soon as the emergency of the case admitted of it. Now the burghers were sent home all to a man, in the month of June, and no Hottentots but those that were engaged with their waggons returned. Of our 160 men, 30 returned on that occasion, but 130 remained.

3036. What was the reason why the burghers and their Hottentots were released, and your Hottentots were retained?—That I do not know.

3037. Did they express any reluctance to leave their religious institutions, and the advantages of religious instruction which they enjoyed?—No, it just happened on that occasion that I had the very day preached a sermon on the subject of their duty to assist their neighbours when they were in distress, and for that reason they went to a man with great delight and willingness.

3038. But were the wives reluctant to go on that account?—That was in the month of August, when they were called upon to go; they thought that would be the means of keeping the men for ever in Caffraria, and that I believe was the chief reason why they did not go. It was their reluctance to leave their comfortable homes, their school and church, as they said themselves.

3039. How were the wives and children of these men supported during their husband's absence?—Government gave every woman a pound of flour, and every child half a pound of flour a day in aid; but for the rest they have their support from their gardens, and I myself have, by the assistance of the fund, expended a sum to get a number of men to dig the gardens, in order that the women and children might afterwards be able to plant and reap.

3040. In what month did you leave the institution to which you were attached?—In January.

3041. Had all the men returned to the institution at that time?—No, 100 were still absent.

3042. Were many other Hottentots belonging to the burghers, or many of the burghers themselves, still detained in Caffreland?— Not one, I believe.

3043. Did you not consider it a hardship upon your Hottentots that they were retained when the others were allowed to depart?—Of course they were grumbling very much. I endeavoured, to the best of my influence, to satisfy them and pacify them for the time being.

3044. There is a government notice, dated Uitenhagen, 1st December 1835, respecting a treaty with the chief Mapassa; are you aware of such a treaty having been made?—Yes.

3045. Did you know anything of the chief Mapassa?—I knew him personally, but it is six years ago I saw him last.

3046. What is his territory?—It is to the north of the mountains of the Amatoli range, and between there and the banks of the White Kay.

3047. Is it in the Tambookies' country?—It is called Tambookies' country; formerly, I believe, it was quite waste, and the Bushmen were there hovering about.

3048. Was this chief amongst those who had been engaged in hostilities against the colony?—No. I believe it is stated in the very treaty that he had got a good character to the contrary.

3049. Had the colonial government any complaints against him, do you know?—Not that I am aware of.

3050. Do you know anything of the nature of the treaty thus formed, from your personal knowledge?—No; I never was in that part of the country since 1830.

3051. Have you heard from your own missionaries anything about it?—I have got a letter from one of them who was present, and signed the treaty, I believe, Mr. Bonatz.

3052. Have you got that letter here?—No.

3053. Will you state the substance of what has been communicated to you on the subject of that treaty?—I understood Colonel Somerset came to the

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station with 300 or 400 armed men, and stated to Mapassa that it was to his interest to become an ally of the colony, or else he would have to remove beyond the White Kay; and upon that, I believe, Mapassa said he could not choose but to enter into the treaty, because he was a dead man.

3054. What did he mean by saying he was a dead man?—I do not know, except that he was too weak to resist, considering the force that was before him.

3055. Do you know whether it was Mapassa's desire that his country might be included in the colonial boundary?—I never heard anything upon that subject.

3056. Did all the missionaries in that colony join in making such a request?—No, none of them that I am aware of.

3057. Do you happen to know the reason why Mapassa was made a British subject, and his country British territory?—I know no reason whatever; but I suppose it was our own convenience.

3058. Do you suppose he had this alternative offered to him, "You must become a British subject, or you must remove from your territory?"—So I understood from the letter I received.

3059. Where is that letter?—It is in Africa.

3060. Do you know what enemies Mapassa alluded to when he said without British protection he was a dead man?—Not to a certainty; it was explained by those present that he alluded to the force that was before him.

3061. Mr. *C. Lushington.*] Was Mapassa considered an independent chief?—Yes; all the chiefs are considered independent. He was not a very powerful one, an inferior chief of the Tambookies.

3062. Then in this case an option was given to him of subjection or expulsion?—So I understood it from the letter.

3063. *Chairman.*] You have been in Africa for 20 years, I believe?—Nearly 19 years.

3064. Is it your opinion that peace would be better maintained on the borders by having an overwhelming force there, with the power of chastising any persons who at all interfered with our objects, and going on in a system of patrols and commandos; or would it be established better by giving instruction to the natives, by methods of conciliation, and by encouraging barter and trade amongst them?—I am not very well acquainted with the frontier, but I can never think there can be an overwhelming power where you have so many hundred miles of frontier to defend.

3065. But would you depend, for the purpose of making these persons good neighbours with the British Government, upon violence and force, or upon the arts of peace, conciliation, civilization and Christianity?—Christianity will do the thing to a certainty.

3066. Is it your opinion that the best mode of civilizing men is by giving them religious instruction?—I have never used any other method, nor am I acquainted with any other.

3067. Do you believe the right course is first to endeavour to christianize the natives in order to civilize them, or first to civilize the natives in order to christianize them?—To christianize them in order to civilize them.

3068. You think the first step is to give them religious instruction?—Yes, for the two things must go together. The fact is, that in Africa you cannot have the one without the other.

3069. Have you observed, that as the natives improve in religious knowledge, in the same degree, and in the same extent, they improve in civilization?—Yes; in Africa the two things must, for that reason, go together, because as soon as the people live dispersed there is no possibility of instruction, and you cannot in any way concentrate them without their finding means of employing themselves in various ways and useful ways.

3070. Have you been in the Caffre country much?—I have only passed through it twice, on a short excursion.

3071. Have you seen Caffre huts?—Yes.

3072. Do you consider the Caffres attach much value to their huts?—Certainly more than we do. My estimate is this: I have seen a ponthok, for instance, exchanged for a bullock; now, I know that a herdsman in Africa works for less than a bullock a year, consequently a house is worth more than one year's labour.

3073. Mr. *C. Lushington.*]—The generality of the huts?—Of the lower class. There are others worth more; but I speak of the common bee-hive huts.

3074. Then, even the inferior class of huts are worth a year's labour?—Yes, there may be some inferior to those I have seen in Caffraria; but I mean the kind of huts the Caffres generally inhabit.

3075. Taking the average?—Yes.

3076. *Chairman.*] You would not consider it a matter of indifference to the Caffres whether the huts were or were not destroyed?—No.

3077. Mr. *Johnston.*] Did you observe much cultivation in Caffreland while you were there?—Very little, besides the little spots of garden that women generally cultivate; but I know, by the station we have got among the Tambookies, that they are not disinclined to cultivate the ground, when they can do it to the purpose. We have led out the river for them, and they now are certain of a return; and not only the women, but the men are very fond of working.

3078. Mr. *C. Lushington.*] Does the construction of this inferior class of huts occupy much time?—It is the work of the women; how much time it occupies I do not know; I never was present.

3079. Can you hazard a conjecture about it?—It must of course employ them several days, a whole family.

3080. Are the materials easily procured?—In some situations; but in others they have to bring the wood or sticks they want for it from a considerable distance.

3081. Then if a hostile force were to destroy a large number of those huts, it would involve the people in a great deal of privation and misery?—That depends a great deal upon the season. In the summer season I do not exactly know what is the case with the Caffres, because I have been very little amongst them; but I know the Hottentots do not inhabit their houses much in the summer, because they sleep out of the house; but in the winter, of course, they are of some importance.

3082. But in the months of January and February, which are the warm months in South Africa, the Caffres would be put to great inconvenience by the destruction of those huts?—If they had them not in readiness against the rainy season, the inconvenience would be the same.

3083. *Chairman.*] Do you apprehend, if a state of perfect tranquillity and peace were established between us and our Caffre neighbours, that the trade of this country, and of Europeans generally, with Caffres would be increased?—I cannot form any opinion upon that subject, because I never paid any particular attention to it.

3084. Have you formed any opinion upon the system of patrols and commandos which has been in use on the frontiers for some years?—I have paid very little attention to it, having lived in quite another corner of the colony.

3085. Are there any other points connected with South Africa which you would be desirous of giving us any information upon?—None, that I am aware of.

3086. Have you established any infant-schools in your institutions?—In all our institutions. The largest in the whole colony is that in the station where I live.

3087. How many children are there in that?—There is a steady attendance of 150 children every day.

3088. What effect does that appear to have upon the people?—It has had a most beneficial influence, both on the other schools, in improving them, and upon the adult population generally; indeed, I was obliged last year to build another school, because the school for the larger children was much too small, which I ascribe, in a great measure, to the influence of the infant-school.

3089. What is the total population of that institution?—It was, on the last of December, 1,406.

3090. At Genadendal?—Yes.

3091. Mr. *C. Lushington.*] I suppose it is rather diminished than otherwise within the last few years?—No, it has been increasing gradually ever since I have been there.

3092. Mr. *Johnston.*] I think you said your society had a settlement in Caffraria?—No, among the Tambookies.

3093. Then do you not consider that country to be in Caffraria?—Sometimes

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it is called Caffraria, speaking in a vague way, and sometimes not; it lies northward of Caffraria, but still so near, when the Caffres steal the cattle from the colony, they drive the herds over the very land of the institution.

3094. Are there any of the brethren belonging to that institution in this country at present?—No.

3095. Have you been in frequent communication with your brethren?—Yes, of course, in steady communication.

3096. What progress have they made with reference to the object of the mission in the Tambookie country?—I believe they have baptized about 12 Tambookies, of whom they had good hopes, and some are very steady, excellent characters; and near the station there are about 500 Tambookies, whose children attend the school, and who themselves attend the church. On the 23d December, the church, which was built last year, was opened, and twice filled with them.

3097. Do they evince a disposition towards the acquisition of learning?—Not to that degree that we could wish.

3098. Do they exhibit a readiness to receive the truths of Christianity?—Not anything as yet like the Hottentots.

3099. How long has that settlement existed?—It was begun in 1828; and after an interruption by the neighbouring tribes driving the missionaries away, it was resumed in 1829.

3100. How many of the brethren are settled there?—There are three of them.

3101. Mr. *Hindley.*] Is there any vacant land within the colony?—I suppose so, but not of very great value, I believe, at present.

3102. If any one wished to purchase some vacant land, of whom would he have to purchase it?—The order at present is, that the land is measured, a diagram furnished by the surveyor-general, or some such officer, and then it is to be sold publicly; but there has not been any sale of the kind that I am aware of yet.

3103. Then the government would give the title?—Yes.

3104. That portion which is held by private individuals is held, therefore, of the government generally?—Yes.

3105. Are there any title deeds given by the government on such occasions?—Yes, there are.

3106. And the different missionary societies, do they hold their land by title deeds from the government?—There is a great difference; there are some places which are purchased from the farmers, which were already measured, and held on perpetual quit-rents, which have been transferred to the missionaries on behalf of the society; but there are some other stations where that has not as yet taken place.

3107. Who makes the deed transferring the land from the farmers to the missionaries' society?—There is a transfer office in Cape Town.

3108. Is the deed deposited in Cape Town, or is it held by the party making the purchase?—I possess deeds; I do not know whether there are duplicates in the office.

3109. The transfer is entered at the office in Cape Town?—Yes.

3110. Do any Hottentots hold land?—There are some instances within our district of five or six families who hold land, and very respectable farmers.

3111. Mr. *C. Lushington.*] Is it the fact that boors and their Hottentot servants were not paid, when they were called out on actual service?—They were not paid, as far as I know, up to the time when the boors were dismissed; but I saw an advertisement after that time, when some boors were required in the neighbouring districts, and 1*s.* and 2*s.* per day were offered; but at the first they were not paid.

3112. But the Hottentots who were included in the provisional corps, and who were latterly retained in Caffreland, were all paid 1*s.* a day?—I believe only from that day when the farmers were dismissed.

3113. *Chairman.*] Have you had the means of forming any opinion as to the disposition of the natives to wander from their homes and become vagrants in the colony?—There is a general disposition throughout the colony for travelling, which all classes I believe partake of; and there may be in the interior many Hottentots who may be of that disposition. There was a great stir about vagrancy a year or two ago, but I must say I never perceived any symptoms of

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it in our neighbourhood. I never perceived any symptoms of vagrancy more among the Hottentots than among other people. I have this mode of obtaining that information: the administration of our station is committed to 30 Hottentots, whom we call overseers, and it is our rule, for the sake of regularity in the place, that whenever a stranger appears he must report himself to one of these overseers, who are dispersed through the place at intervals of six or seven houses; but ever since 1827 there were not more instances of strangers visiting the place than before the time when the Hottentots were obliged to have passports.

3114. Then you have not observed, in consequence of the removal and the necessity of having passports, that there has been any increase of a disposition to run about the country?—Decidedly not.

3115. Mr. *Hindley.*] I believe that has not been the impression entertained by some individuals even in the neighbourhood of Genadendal?—There were some I believe who signed a petition for a vagrant law, and one of these gentlemen, when the war broke out, wrote to me that he did not know a single Hottentot in his whole district that he could get for a driver for his waggon, so that there could not have been many vagrants then.

3116. Might it not happen that there were persons of a roving disposition who were disposed to wander about the country to live as they could, but who were not disposed to engage in regular industry?—Of course there may be such instances, and I believe there were such instances in that part of the country where they can live by what they call field fruits; but where I lived I am certain it was not the case.

3117. Do you believe there existed amongst the Hottentots with whom you were conversant, a greater disposition to wander about than exists among the peasantry of England?—Yes, certainly; that is the case not only with the Hottentots but with the peasants and farmers of Southern Africa; they are always on the move.

3118. Was there a greater disposition to rove about the country among the Hottentots than exists among the white persons?—I suppose it is nearly the same; I find all our young neighbours more absent visiting than I find them at home.

3119. Did it appear to you that the evil was of that extent that it was necessary to establish a strong vagrancy law, to prevent their wandering about the country?—I perceived no evil whatever in our neighbourhood, as far as my personal knowledge went.

3120. Do you mean that to extend over all the institutions with which you are connected, or merely the one in which you are located?—I say that with reference to all our institutions.

3121. You must have acquaintance with a considerable tract of country in consequence of being connected with so many institutions?—Yes, but not personally.

3122. Mr. *Hindley.*] What would have been the effects of a vagrant law upon the comforts of the aborigines?—It would have been a great hurt to themselves and to the farmers too. I had got, just about the time when the vagrant law was in progress, an application from near Cape Town for Hottentots to come to the harvest; I was afraid to tell it to any Hottentots until I knew what became of the vagrant law, because I questioned very much whether they would have it in their power to return home again, and for that reason I wrote to the gentleman again, telling him my apprehensions, and he was so aware of it that he wrote back and gave me the opinion of one of the officers in Cape Town, in order to satisfy my mind that no vagrant law could be carried, and therefore I might be easy. It was upon that condition alone the Hottentots ventured to leave the place, and go to the district of Cape Town.

3123. But had you received another answer, and been told there would have been a vagrancy law, it would have prevented that part of the colony near the coast from being supplied with your labourers during the harvest?—Undoubtedly our Hottentots would not, under these circumstances, have ventured to go so far from their homes into another district, because they were under apprehensions of not being allowed to return home when they had done their work.

3124. Then you, upon the whole, as interested in the welfare of the colony and the welfare of the Hottentots, decidedly object to a vagrancy law?—As far

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far as I can judge, from the circumstances in which I have been placed, I am of opinion that the vagrancy law would have brought down the Hottentots to about the same situation in which they were 10 or 12 years ago.

3125. Mr. *W. Gladstone.*] Do your objections apply to the particular vagrant law which I understand to have been proposed, or to any vagrant law?—I did not study the law as it was proposed, but I know the system of passports as it had been in operation before. I know, for instance, that a Hottentot left our place, having an engagement at a place 200 miles off, taking it into his mind to go to a certain distance, and accordingly he was required to have a passport. That same man met perhaps a better thing a couple of miles on his road, where he could be employed with more advantage, but he was not allowed to do it; he had to go as stated in the passport, or to return to his home to get another passport, and perhaps lose half the week.

3126. Then your objection would apply probably to the specific form of the vagrant law which has been brought under your consideration?—My objections are founded on the knowledge which I have from want of labourers; and that those who stand in need of them will make use of such a law, however it may be worded, to their own advantage, and the labourers will suffer under it.

3127. You object to it as an unnecessary restriction of the right which every man ought to enjoy of disposing of his own labour to the best advantage?—Yes.

3128. But do you think that objection must apply to every law which bears the name of Vagrant Law?—I do not know that.

3129. Are you aware that there are laws for the suppression of vagrancy in this country?—I am aware of that.

3130. And you have said in your evidence that the population of this colony were more addicted to vagrancy as a whole than they are in this country?—Yes.

3131. Consequently it would follow, that as much restriction at least as is found requisite in this country would be requisite in that?—I have not said that they were addicted to vagrancy, but to travelling about; that is the fact.

3132. If their inclination to travel be greater than the inclination to travel in this country, and if the inclination for travelling in this country renders vagrant laws necessary here, it is probable at least that the same degree of restraint upon that inclination to travel is required at the Cape as is required in England?—I believe it would be, in some parts at least of the colony, and I am certain in our neighbourhood, the greatest loss to the farmers themselves. I will just state upon what my opinion is founded: the district of Calledon, for instance, is of that description that, as is perhaps the case in most countries, when the corn begins to ripen, it begins at one end. Every farmer sows more corn than he is able to reap, depending on the assistance of this swarm of free labourers. If they are now restrained by vagrancy laws, they must have certain places where to go to; but as it is, they can begin at one end of the district reaping, and just as the corn ripens slower there they would come and cut it down; and if it were not for this circumstance the Calledon district could not sow by far so much wheat as it does, or it would fall to the ground, and get devoured by the birds.

3133. Have you seen any instances in which great evils and distress and degradation of character have arisen from the indulgence of this habit of travelling about the country?—None that I am aware of.

3134. *Chairman.*] I understand you to say, that they are more addicted to travelling than persons in this country?—Yes.

3135. But do you consider that is an evil disposition on their part, or does it arise from the circumstances in which they are placed?—It is a very natural inclination in such a climate, and under the circumstances in which they are placed, where they hardly can move but on horseback.

3136. Do you think it will be injurious to them and the colony at large to restrain that disposition which at present exists to move about the country?—I believe so, because I am almost certain that it would only fall upon the class of labourers. No one would ask a gentleman or a person of any other class for a passport.

3137. And you think to the labourers it would be injurious?—I think so.

3138. Mr. *Gladstone.*]—Did the vagrant law, to which I understand you to have objected, contemplate the arrest of any person for vagrancy, except those who

who were wilfully living in idleness?—I do not know the contents of the law; those are things I have very little time to attend to.

3139. Are you aware whether it made a passport necessary for all persons of lower order to move from place to place?—I understood so, but I am not certain, for I never studied those things. I lived quietly in the country, only looking to the interests of the people living under my care.

3140. I understand you to have objected to the law while in the colony?—I did, and I wrote to the civil commissioner on the subject, stating my reasons.

3141. Had you then any doubt in your own mind as to the main provisions and substance of the law to which you objected?—I knew very well what it was, but not so that I am now prepared to state it. I was afraid of the old system of passports getting in again.

3142. You were not then certain that the Vagrant Act made it necessary for a person to have a passport, in order to be allowed to move from place to place?—As far as my memory now goes, I think that was the whole object of the vagrant law, that every one was to be supplied with a passport.

3143. Can you say you have no doubt of the fact?—I do not know; my memory does not tell me now to a certainty, whether there was such a thing; but as far as I can recollect it was the case, and I think it was upon that very principle I wrote to our civil commissioner.

3144. *Chairman.*] You having had experience of the effect of the vagrancy law previous to 1828, did you think that vagrancy law extremely oppressive and injurious to labourers?—Yes, and I will state one single case to prove it. A Hottentot, who was rather more sharp and cunning than most Hottentots are, went from our place to Stellenbosch. He came into the village of Stellenbosch, and there a man asked him for his passport; he not knowing who that man was, gave him a passport written by me. The man immediately tore his passport to pieces, and threw the Hottentot into the trunk as a vagrant. He was brought the next morning before Mr. Ryneveld, the then landdrost. Mr. Ryneveld questioned him on the subject, and he stated the case, adding, if Mr. Ryneveld would go along with him he should be able to pick up those very pieces of paper which had been thrown away in that manner. Mr. Ryneveld went along with him, found the pieces, put them together, and knowing my signature, the man who tore it was punished. That was one instance; but numbers of the same kind occurred, where the Hottentot had not the opportunity of saving himself. That is the way these officers (I have forgotten what their name was now, scouts, or something of that kind), made some money by those who were in want of labourers. They used to apply to these scouts, as I was told, (and that was the case in this instance I allude to), and pay them a few dollars to catch Hottentots for them; and when the Hottentot, as was usually the case, had not money to pay the prison expenses and thus to obtain his release from the trunk, the man was at hand, and advanced the money for him, on condition that the Hottentot should work with him for several months.

3145. Mr. *C. Lushington.*] Did a passport, signed by you, carry any authority to character?—It was required in the first missionary in every station to give passports to the Hottentots residing in that station.

3146. *Chairman.*] When these men are assigned over to the boors, was that a condition as low and as oppressive as that in which the slaves were placed?—They are generally, when they work on the farms with slaves, on the same footing as the slaves. I do not conceive that either the situation of the slaves or of the Hottentots at the Cape is very oppressive.

3147. But they were in a similar condition to the slaves, whether that be more or less oppressive?—Yes.

3148. After they had completed the time for which they had thus bound themselves to the persons to whom they were assigned, have they any facility for getting home again?—Sometimes; but it was always subject to the same difficulty, on account of its being required of them to have a passport.

3149. Was there not also in former times a law, that if a Hottentot had served a master for a certain number of years, and had had children during that time, that these children became assigned over or apprenticed to the same master for a number of years?—I believe so.

3150. Mr. *Wilson.*] Are you aware whether or not in your neighbourhood there

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there are a number of Hottentots living in the bushes and fields, subsisting on the plunder of the flocks and herds of the farmer?—I never heard of it.

3151. Mr. *Gladstone.*] When did you leave the colony?—On the 8th of February.

3152. Are you aware of the nature of the 50th ordinance?—Yes.

3153. Are you aware whether since it was passed there has been an increase of crime in the colony?—I think not. Not only myself, but even the judges themselves, have of late made observations, that there is a decrease of crimes.

3154. Do you apprehend that to be an admitted fact?—I believe so.

3155. To what period does that observation apply?—It has been for several years the case, but the period I do not exactly know.

3156. *Chairman.*] You think in seven years that have elapsed since the 50th ordinance, there has been less crime than there was in the seven years preceding?—I certainly believe so.

3157. Mr. *Johnston.*] Do you use the terms travelling and vagrancy as synonymous terms?—I think they are nearly the same, as far as the Cape is concerned.

3158. *Chairman.*] You mean to say it is so understood at the Cape?—I do not know how others understand it, but I understand it in that way; that most people are on the move at the Cape, and yet do no harm.

3159. Mr. *Johnston.*] If a boor were travelling, you would not say he was concerned in vagrancy?—No, of course not, because he is a boor.

3160. Then you apply the term vagrancy, with reference to what we have been examining you, to the Hottentots alone?—So it has been considered at the Cape, I believe.

3161. Then that which is called travelling in a boor is called vagrancy in a Hottentot?—Very often.

3162. Mr. *Gladstone.*] Do you consider there is any reason in the general practice of the respectable classes which may have caused, and may in some degree have justified, that application?—In the interior, where the Hottentots live half mixed with the Bushmen, there may be some reason for it; but in the part of the country where I live it is very different.

3163. *Chairman.*] Do you believe that, generally speaking, when the Hottentots move about the country it is for some lawful purpose, and they ought not to be treated in any shape as delinquents?—They generally have some object, but frequently it is a trifling object, as we should consider it according to our views, for which they may undertake a long journey. For instance, they may go a distance of 500 miles, and they may have one bullock to get in that quarter, which may be worth 2 *l.*; they will undertake a journey of 500 miles to fetch such a bullock.

3164. We have had evidence before the Judges in this country, that there are persons in England who travel from here to Scotland and back again for no other purpose than to obtain money by begging; are the Hottentots guilty of that species of vagrancy?—I never met a beggar that I can recollect at this moment in South Africa, except one or two Irishmen, who came to that place.

3165. Then real vagrants, in the English sense of the word, you never met but two, and they were Irishmen?—If you say a vagrant is a beggar, that is certainly the case.

3166. Mr. *Gladstone.*] Have you visited other missionary institutions besides your own, and made their state the subject of your inquiry and study?—I have visited some of the other stations, but not within the last six years.

3167. Under the charge and superintendence of missionaries belonging to what society?—To the London Missionary Society and to the Glasgow Missionary Society.

3168. Have you seen manufactures or mechanical works going on at those institutions?—Not that I am aware of.

3169. Is the general state of those institutions much the same as your own?—There is a very great difference in the outward management of them. In our institutions there are on each station three, four and six missionaries, and those missionaries divide between themselves the various branches, with the object to promote the industry of the people. Now in such stations, where there is but one missionary, it is impossible; and that is the cause of the difference.

3170. Consequently there is a considerable difference, as you conceive, with respect

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respect to the industry and prosperity of the people in favour of your own institution?—I cannot say that. As far as industry is concerned I cannot judge, for those people, who do not work in shops, may be just as industrious in agriculture and other things not seen in the place, as those who work in the shops who are seen in the place: of which I cannot judge.

3171. Do you think the peculiar organization you have described, in which there are several missionaries to teach, by way of example, the occupations they are to follow, is calculated to produce more than an ordinary degree of industry and prosperity in the people?—I am of course convinced of its utility, or else I should never have embarked in it.

3172. Mr. *Hindley.*] What trades have been commenced in Genadendal since you went there?—Since I have been there, there is a tannery established, and by the progress of the people, tailors and shoemakers have got on; a manufactory of tobacco also, which was in my time, and cutlers have been established since 1795, which was before my time.

3173. *Chairman.*] In visiting other missionary institutions, has your opinion been, that the effect of the instruction, moral and religious, which they give to the natives was to increase their industry, to increase their prosperity, and to make them better men and better subjects?—Yes. I stated before it is impossible to be a christian without getting forward in industry, and in all good things.

3174. Am I to understand the remark you made, of the effect of moral and religious instruction upon the natives, applies not only to your own institution, but to other missionary institutions which you have witnessed in South Africa?—To every institution.

3175. You mean to say then, that the general features of all other missionary institutions of which you have been cognizant, are the same as those of your own institution?—I will answer that question by an explanation. The object of the missionary is of course to have a steady attendance of children and adults in their schools and in their churches, and that is the grand reason why we are so attentive to these outward things. The missionaries of the other institutions themselves regret that they cannot command that steady attendance in their schools, that there is a certain fluctuation, and for that reason there is a difference. They may perhaps have the same number, and I believe, I do not say it by way of compliment, but I really do believe, with regard to the schools, travelling about, preaching and the like, they do as much as any human beings can do, but that they cannot keep the people steadily under instruction; that is the great difficulty.

3176. The observations you have made apply to the London and Glasgow institutions, as well as your own?—To any missionary institutions.

Lieutenant-Colonel *Cox*, called in; and further Examined.

Lieut.-Colonel *Cox.*

3177. *Chairman.*] DID the troops enter Caffreland in the end of March 1835?—The division I commanded moved on the Chumie, which is in the colony, on the morning of the 3d of April.

3178. But the other detachments had entered Caffreland previously, I believe?—There was a simultaneous movement of the whole of the forces about the same time; I cannot say on what day the others moved.

3179. When did you first encounter the enemy after moving towards the Chumie?—The first day we moved into the valley of the Amatola, where a large body of Caffres was in the bushes.

3180. What do you suppose to have been the strength of the Caffre force which was immediately opposed to you?—We could not see the force, as they were concealed in the bushes; we could only judge by the fires in the night and morning.

3181. Did you consider there was a considerable extent of Caffre force there?—There must have been, from the extent of the bushes and ravines which they occupied. It was impossible to say what force might have been concealed there.

3182. Did you make an attack upon them on the 4th April?—We endeavoured to get at them as well as we could, in order to get them out, and clear the country.

3183. Please to state the circumstances and result of that attack, with as many particulars as you are in possession of, of what took place from that time

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up to the 13th of April?—I moved on the morning of the 3d of April with the force under my direction in different bodies, to clear the valleys and ravines of the Caffres to the head of the Amatola, as it is called, and the sources of the Keiskamma, and moved there by the back of the ridge round towards the ridge of the Buffalo Mountains; and we succeeded in taking 500 head of cattle, and some Caffres were killed by the different parties.

3184. What number of Caffres do you suppose were killed?—I should think only a few. I halted on the night of the 3d on the Keiskamma stream, and on the 5th commenced again to clear the deep ravines to the head of the Keiskamma River. On the 6th again there was a general movement of the forces to scour the valleys and the deep ravines, in obedience to the instructions I received from the governor to co-operate with the whole body of the troops.

3185. Were there any skirmishes with the Caffres on those days?—No; the Caffres were supposed to be in the ravines, and the troops moved into them wherever they were supposed to be, and endeavoured to clear the country; that was the object of the operations; and also the instructions I had were to capture all cattle that was possible. On these days we took several hundred head of cattle. We moved again on the morning of the 7th into that country, which is a very strong and difficult one to get through; the sources of the Keiskamma stream are full of ravines and mountains; and we made a flank movement to join the other division, moving in the direction of the Buffalo River.

3186. Up to the 13th of April was that the general state of things?—Yes, I continued all these movements, clearing that strong country of the Caffres.

3187. Mr. *Johnston*.] Did you effect a junction with the division that was moving by the Buffalo River?—I co-operated with them on the 11th, 12th and 13th. I was separated all the time from head-quarters, but communicated with them occasionally. My force was a separate one, and remained separate.

3188. Whose division was moving on the Buffalo River?—The first and second divisions, the other parts of the army, and also one on my flank, under Commandant Van Wyck, of Connadart, who commanded the burgher force. The whole of the force moved in four divisions to clear the whole of this strong country, where the Caffres were concentrated.

3189. The outermost moving upon the Buffalo River?—Yes, and upon the left they moved upon the Kat River, and in that direction. Mine was the left centre.

3190. *Chairman*.] You remained, I believe, to the west of the Buffalo River, whilst the other part of the army went into Hintza's territory?—I did, watching that strong country. That is the strongest part of Caffreland I conceive; the sources of the Keiskamma, the Buffalo Mountains, and up to the Kat River.

3191. Is it in your power to furnish us with any details as to the death of Hintza?—Nothing more than what I have heard. I was not with that force.

3192. What was the period at which you held your first parley with Macomo?—On the 12th of May.

3193. What number of Caffres were collected with Macomo at that time?—I cannot tell what number were in the bushes; Macomo, himself and Charlie, and several of their people came out agreeably to an arrangement, and after a good deal of parley and communication with them, they came out of the bushes with about 100 attendants. They came about a mile towards the camp, and I went out with an officer, Lieutenant Grahet, of the 98th regiment, and two Hottentot orderlies, and had a parley with them. I had received instructions from his excellency to have a communication, if possible, with them, and there was some latitude allowed me. I was empowered to guarantee to them the protection of their wives and cattle upon their agreeing to accept the conditions offered to them.

3194. Will you produce the instructions you received?—Yes.

" Head-Quarters, East of the Kei, 4th May 1835.

" If the people of Tyalie and Macomo, &c. will come into any of our divisions, with their cattle and wives, and give up their arms, they shall be protected, and retain the cattle which they bring in (not being colonal). With regard to the chiefs themselves, if they come in (any one or all), and deliver themselves up unconditionally, it may be stipulated that their lives shall be safe, and that they shall be personally well-treated; but that the terms

to

to be ultimately granted to them must depend upon His Majesty the King of England, whose decision they must in the meantime wait. Lieut.-Colonel *Cox.* 20 April 1836.

"*H. G. Smith,* Colonel, Chief of the Staff."

3195. Did you receive any other instructions?—Yes, I received some instructions after I had the conference with Macomo and Charlie in the first instance.

3196. Do you produce the subsequent instructions you received?—Yes.

"Camp on the Impotshana, 12th May 1835.

"Memorandum for the information and guidance of Major Cox, as the general basis of terms which he is authorized to hold forth to the Caffre tribes suing for peace: 1. By my proclamation and declaration, issued and made respectively on the 10th of May 1835, on the bank of the Kei, in the presence of Hintza, chief of the country between the Kei and the Bashee, and styled and acknowledged by the Caffres who have inhabited the country between the latter river and the colony, 'Paramount Chief of Caffreland,' the whole of the country between the former colonial boundary line, viz., running from the sea up the Keiskamma and Chumie Rivers to the Winterberg, and the Kei River, from its source in the Stormberg Mountains to the sea, has become the territory of His Britannic Majesty, and now forms part of the colony of the Cape of Good Hope, and of His Majesty's colonial dominions; and the chiefs and their tribes who have been in arms against the colony, and whose acts have been so unprovoked and atrocious, are for ever expelled from the aforesaid territory, and will be treated as enemies if they be found therein. 2. By a paramount order sent by Hintza to these chiefs and their tribes, they have been commanded to cease hostilities, and to deliver up their fire-arms to me, or to the officers commanding the respective divisions of His Majesty's forces under my command. 3. By corresponding instructions, sent at the same time to Major Cox (commanding the third division on the side of the Amatola, Keiskamma and Buffalo Mountains,) all of those tribes who should come into the quarters of the troops and lay down their arms were promised safety and protection, and the possession of the cattle and effects then belonging to them; and that the chiefs themselves, if they should come in, and deliver themselves up unconditionally, should be secure of their lives, and await the ultimate commands of His Majesty the King of England for their future disposal. Now, therefore, if the terms of the 2d and 3d foregoing paragraphs be fulfilled and complied with on the part of the tribes, and if Suta, the great widow of Gaika, and her son, Sandili, will place themselves under my protection, and if the chiefs abovementioned either surrender themselves to the officers of one of my divisions, or transport themselves beyond the Kei, hostilities shall cease against them on the part of the English troops. Thereafter I will only require the expulsion from the aforesaid territory of those Caffres who were engaged in the inroads into the colony, or in the murders of British subjects, all of whom must transport themselves beyond the line of the Kei; and if they recross it they will be treated as enemies. And in consideration of the excellent conduct of Suta, the great widow of Gaika, in endeavouring to persuade the tribe from acts of hostility against the colony, and her good treatment of some English subjects in their danger, I will acknowledge and uphold Sandili, her son, as the chief of the family of Gaika, and will appoint him ample lands to reside upon, under the charge of Suta during his nonage; and those of the tribe whom Suta shall recommend, and who shall not have joined in the invasion of the colony, shall be permitted to remain in the new territory also under Sandili's authority, and under the protection of the colonial government and laws. I will also make ample provision for Matua and Tenta, of the tribe of Gaika, whose conduct has been good and peaceable. 7. And further, in consideration of the excellent disposition and conduct of Nonibe, great widow of the late Chief Dushane, of the tribe of P. Slambie, I will acknowledge her son chief of that tribe, under his mother's tutelage, during his nonage; and will appoint ample lands for their reception and support (in like manner with Suta and Sandili), and under the protection of the colonial government and laws, such of the tribe as Nonibe shall recommend, and who shall not have been engaged in invading the colony.

In all these arrangements it must be well understood that these Caffres will be British subjects, living under the protection of the government, and under

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the colonial laws generally, but retaining their own particular rules and customs in their internal regulation of their tribes, so long as they shall desire to do so. This is the basis of the measure which I shall adopt in regard to these tribes; the details to be more fully settled hereafter, by commissioners whom I will appoint; but to these principles I will adhere, and all Caffres of all the above tribes whom these do not embrace, shall be required and forced to leave the colonial territory, as now extended, according to the terms of the proclamation of the 10th of May above cited.

"*B. D'Urban*,
Mr Genl, Govr of the Cape of Good Hope,
Commander-in-Chief."

"To Major Cox,
Commanding the 3d Division."

3197. What was the substance of the conversations you had with the chiefs?—I told them, agreeably to these instructions I received from the governor, I was directed to give them the message; and I tried by all means to induce them to agree to the propositions I made. I stated it was necessary they should come into the camp, in the first instance, and give themselves up, and I promised them protection for their wives and children, and security to their property. At first they both said they would come in; they thanked me for having come forward to meet them, and were very much obliged to the governor for having sent them the message, and said they were very sorry for the war; they knew they were wrong, and they hoped his excellency would pardon them, and give them peace. I endeavoured to prevail upon them to come and accept those terms. I told them I was desired to say, if they came into the camp, and gave themselves up on these terms, on these alone could they be received. I said "If you come to the camp, if you alter your minds, I will allow you to go back again." They both said they would; but their hemraden, and the people about them, would not allow them. I said if you do not accept these terms the war will be recommenced; I have no option, I have only to tell you the governor's orders, and I have no discretionary power to alter them in any way. If you do not accept these terms the war must go on. I was very well acquainted with both of them, and they said they were very thankful for the pains I had taken to make peace, but they could not accept it, the people would not allow them.

3198. Did you invite them to come into your camp?—Yes, that was at some distance.

3199. Do you think the circumstance of Hintza having been made prisoner operated on their hemraden?—Yes, I think it did, I think they were fearful of their personal safety. The chiefs themselves would have come, and would have felt perfectly secure in coming with me; but their people dissuaded them from it. I knew those chiefs personally; I had been acquainted with them for eight years on the frontier, and was known to them, and they came forward and shook hands with me in the most friendly manner possible, and said they were much obliged to me.

3200. Would you have felt justified in reposing confidence in any engagement into which Macomo would have entered?—I would certainly, as far as his personal influence went; but the chiefs have not much influence, their hemraden and the old men control them.

3201. What was the general character which you considered Macomo to bear?—I always thought him an enterprising, smart, clever fellow for that description of savage which he is. I consider Macomo and Umhala two of the cleverest Caffres in Caffreland.

3202. Colonel Smith is reported to have used these words to Macomo, and I wish to ask whether you would have concurred with him: "Macomo, I have admired your character as a soldier in the bush; you have been a bold and a determined enemy, and I have every confidence in the sincerity of the expressions of your attachment to my King and governor?"—Yes, I should be inclined to think so.

3203. Will you proceed to state what took place after the first negociation was broken off?—Of course the military operations commenced immediately. There was constant patrolling; his excellency was determined these people should not occupy the country, and the object was to clear the country of them; in fact, to drive them to accept the terms that were offered to them.

3204. Your

3204. Your object was to drive them out of the country in which they were located?—Yes.

3205. Towards what country were you driving them?—They were to be driven across the Kei, out of the country called Caffreland. The object was to harass them, and force them to retire from that country.

3206. To drive the whole of the Caffres out of the whole of Caffreland?—Yes, across the Kei into Hintza's country.

3207. Did you happen to know whether there were native chiefs towards whose country they were driven, who would have repelled them from entering into their territory; Hintza, or any other chief into whose territory they had entered?—Yes, the tribes are very jealous of any other people coming into their country at all times. Even Hintza, I think, after a time would not allow them to remain. They are jealous of it, because they consider they have not country enough for their own people.

3208. Then the effect might have been, that being driven forward by the British troops, and then driven back by the native chiefs, they would have been pressed between the two?—Certainly, if they had attempted to enter into a strange country, a country belonging to another tribe.

3209. And must it not generally be the case, that where a body of natives are driven out of the territory which they inhabit, they must be driven into the territory of some other chief, who would be reluctant to admit them?—If they were forced to live in the country of another tribe, they would be driven back by that tribe; but I believe there is a great deal of unoccupied country in Hintza's territory, which they might have occupied.

3210. But still you apprehend that Hintza would not have allowed them to remain?—Not so large a body probably.

3211. Mr. *Johnston*.] What is the situation of Hintza's country?—I never was in Hintza's country; but I know from the map it lies on the east side of the Kei river entirely.

3212. He has no territory to the west of the Kei river?—None that I know of.

3213. *Chairman*.] Were you acquainted with Lieutenant Bailey?—Yes.

3214. Were you in the neighbourhood where he and his detachment were cut off?—Yes, I was.

3215. Can you state any particulars to the Committee relative to the attack made upon him?—Yes, I heard it from the Caffres themselves. He was sent on a patrol with another officer, Lieutenant Biddulph, having 30 men each, and the two parties separated, contrary, I believe, to their orders. Lieutenant Bailey's party got into that strong country in which I was operating previously, on the sources of the Keiskamma and Buffalo rivers, which is the strongest country in Caffreland, and there they fell in with some Caffres who were armed, and who attacked the party. He endeavoured to get out of the woody country into the plain, but they were assailed and cut off. I believe they fought very well, but they were surrounded, and put to death every one of them. That I know to be the case, for I saw a small Bible-case which Mr. Bailey always carried in a little pouch, in the possession of Macomo at the conference a few days after he (Mr. Bailey) was killed. He lost several of his men, and I believe they fired away their ammunition, which they generally do, and then they were attacked in a woody pass and killed, after making a very gallant resistance, for they killed one of the principal Caffre chiefs. They told me the whole particulars in the conference I had, and I believe it has been ascertained to be the fact since.

3216. Mr. *Johnston*.] Of what regiment was the detachment Lieutenant Bailey commanded?—They were all Hottentots except Mr. Bailey, who was a settler there. He was not a King's officer. There are two provisional battalions of Hottentots, and they are officered by gentlemen in the country, settlers.

3217. *Chairman*.] Did hostilities recommence in July, and the early part of August?—Yes, in the early part of July. The Caffres would neither accept the terms that were offered to them, nor would they obey any order or instructions sent by Hintza, who was their acknowledged chief; and as they would not submit, hostilities of course recommenced. They would not accept the terms sent by Hintza, or the terms offered by the governor, hostilities recommenced in July, at least so far that the troops were ordered out. A number

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of posts were established at the sources of the Keiskamma and along the Buffalo River, and the country was occupied by the troops; hostilities still went on.

3218. Were there many attacks and skirmishes?—There were constant patrols out to clear the country of the Caffres, and force them to comply with the terms offered to them.

3219. Then that state of harassing warfare continued?—Yes.

3220. Have you any information as to the causes which induced the Caffres to renew hostilities?—In fact there had been no peace made with them; the troops were still in the field, and posts were established about the beginning of July at various parts. There was no cessation of hostilities with the Caffres in Caffreland; there was with Hintza's people, but not with the tribes of Macomo, Charlie, Eno, Slambie and those tribes; there never was any cessation of hostilities, for they would not accept the terms, and consequently there was no peace.

3221. Had they become bolder and more determined enemies at that time?—I think they had; they had acquired a considerable number of arms, and displayed a more determined disposition.

3222. Did they consider the alternative they had was either to submit or be driven across the Kei?—There was no alternative left to them at that time, but his excellency was afterwards pleased to modify the terms; and at a conference I had with them afterwards, I proposed these terms to them; that the governor, if they chose to submit, would allow them to remain in a certain part of the country pointed out to them, for which they felt very grateful, and which they afterwards complied with.

3223. Did it come to your knowledge that the Caffres frequently inquired "When is the war to cease? We will die in our own country, as we are sure to be killed if we go into Tyalie's territory!"?—Yes, I know they said so; for they were constantly in the habit of calling out to the patrols and talking to them. I know they made use of expressions of that kind. It rested with themselves whether they would accept the terms; they did afterwards accept them, and when peace was established finally, the chiefs told me they were excessively glad of it, for they felt more secure than they ever felt before; that they felt secure of the protection of the British troops from the tribes in their rear, whom they were always alarmed at, and they were much better pleased than with any arrangement which had ever been made. The territory is now defined; and after the peace, the chiefs Macomo and Charlie told me they were perfectly satisfied; and I think they are in a better position than they ever were, which will continue if the system his excellency pursued is followed up. Each tribe knows where his boundary is exactly; they said before, they did not know, but now they know exactly.

3224. As they had no alternative but of being exposed to destruction by the British force if they remained in the country, and of being exposed to destruction by Hintza's people if they quitted the country; may not that have accounted for the increased boldness and desperation with which they fought?—It may have operated with them certainly; they were driven to greater straits as long as the war lasted, because their cattle were left behind in Hintza's country, and their corn was in the ground, and they could not get at it.

3225. In a letter written by you on the 15th August 1835, you mention that on the 9th of that month you had received through Captain Warden, a confidential communication from the governor?—I did.

3226. Will you please to state to the Committee the nature of that communication, if you feel yourself at liberty to do so?—It was relative to an expected conference I was to have had with the chiefs. The chiefs had promised to meet me at a particular time, and I acquainted his excellency with it, and he sent those instructions by Captain Warden for our guidance. I have not a copy of those instructions, for Captain Warden kept them. I had a conference with the chiefs; I met the whole of them, and they brought an immense number of Caffres with them, about 5,000 or 6,000, and Captain Warden and myself were obliged to go and trust ourselves with them; they would not trust themselves with us. We had a very long conference, and they expressed themselves grateful for the trouble and risk we had placed ourselves in, and said they were confident we were sincere in our wish to obtain peace for them. They wished to get the best terms they could, and begged that we would use our influence with

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with the governor. I represented it to his excellency, and he modified some of the terms he first proposed, and after some conferences it led to peace being restored.

3227. What was the period at which your communication was made to the Caffres?—On the 15th of August I had one conference with Captain Warden, I was out with the troops I was commanding, and I was informed his excellency wished me to have a conference if an opportunity offered, and as we saw some Caffres, I sent a man to communicate and endeavour to open a communication, and I succeeded so far that they sent to the chiefs Macomo and Charlie, who were with their forces in the bushes, and at last they succeeded in bringing me a message from Macomo and Charlie that they would meet me, and I went with Captain Warden, and we met them. They had 600 men all armed, a great many with muskets.

3228. Was Hintza a prisoner at that period?—I rather think he was dead at that period.

3229. I presume, from having received instructions to communicate on the 9th, the reason you did not do it before the 14th was, that no opportunity occurred?—Captain Warden arrived on the 9th with those instructions, but I had also directions to commence operations; and it was in the course of these operations I sought and had an opportunity of communicating with Macomo and Charlie, which led to this conference on the 15th. I received orders from Colonel Smith, in whose district I was serving, to execute some operations; and I also received orders from the governor in Graham's Town, through Captain Warden, and it was in the course of these operations that I had an opportunity of communicating with Caffre chiefs on the 15th.

3230. Did a councillor of Charlie's come into the British camp?—A hemraden of Charlie's came into the camp, in consequence of a message which had been sent, that they wished to communicate with him; his old hemraden came into the camp.

3231. Did you send a flag of truce to Macomo and Charlie?—I did; I sent a man with a flag of truce to open a communication with the Caffres, to have a message sent that I wished to see them, if they would come themselves; and in consequence of that message, they sent the hemraden into the camp, which led to the conference.

3232. Will you be pleased to give to the Committee the details of your interview with the chiefs?—I received instructions from his excellency to offer to the chiefs the modified terms he intended to grant them; that he did not intend to turn them over the Kei altogether, but he intended to grant them a portion of land in what was their own country. In consequence of that I sought this conference, and informed the chiefs that the governor was inclined to modify his terms, and give them a certain portion of land in their own country. They were very anxious to know the particular extent of the land which was to be granted to them, which I did not know, but told them, if they were inclined to accede to those terms, I would represent to the governor their willingness to do so. They said they were very grateful for the indulgence shown them, and begged I would use my influence with his excellency, which I did do. I communicated the result of the conference to his excellency when I returned to the camp, and ceased hostilities against them; and I continued to do so until I received further instructions from his excellency. This led to a meeting of the chiefs, with almost the whole of the force they could display. They came into the neighbourhood of my post, Fort Cox; and his excellency having sent me fresh instructions, we had a very long conference. At that interview they acceded to the terms offered to them. They said they would accept them, and only wished to know the extent of land, and so on, which I could not tell them. They were very anxious to get as favourable terms as possible; and I reported to the governor the result of that meeting with Captain Warden and myself, and he afterwards sent fresh instructions. I had again another meeting with the chiefs, and told them all the particulars of the treaty; and on that occasion they brought, I suppose, some 5,000 or 6,000 men.

3233. Did they meet the governor?—At that meeting they agreed to all the terms; and it was finally agreed that Colonel Smith was to come from King William's Town, with final instructions to conclude the peace, which he did, and they came to my post. I afterwards brought them into Fort Willshire, where the governor was, and there they made and concluded the final peace.

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3234. I understood you to state that you had instructions from the governor to inquire whether the Caffres had been instigated by any persons to make war upon the colony?—No, I had no instructions to make any inquiry upon that subject. I never said I had.

3235. Did you make inquiries of the chiefs?—No. At that long conference, when they had 5,000 or 6,000 men with them, Macomo said, two or three times, when we talked of the war, and tried to point out the absurdity of continuing it, and how wrong they were (as they admitted they were wrong), not to accept the terms,—Macomo said, two or three times, "Who made the war? we did not make the war." He said that in a very significant manner, "Who was the cause of the war? we are not the cause of it." Of course I did not want to push that subject; I knew it was irritating to discuss it; and as he had an immense force, and we were in his power, I thought it was unnecessary. The object was to make peace.

3236. Do you think he was alluding, at that time, to the patrols that had entered into his country, and the system of border warfare which had been pursued?—No, I think he must have had communication with the people in the colony; I think he calculated upon the Hottentots joining him; and a number of people had gone into the country, who talked idly and foolishly to the Caffres. I am confident they were instigated by people in the colony to do what they did.

3237. How would his declaration, that they did not make the war, agree with that?—I understood that they were not the cause of the war, that they were instigated by other causes.

3238. Had you no reason to think that Macomo had felt sore for some time, in consequence of the aggressions of the patrols?—I believe he was sore; and of course it was natural to suppose he would be, from having been removed from his country once or twice on former occasions.

3239. Have you any recollection of having heard Macomo say, if they, the Caffre chiefs, had taken the advice of Dr. Philip and Mr. Reid, the war never would have occurred?—No, I have no recollection of that; I never heard Dr. Philip's name mentioned by the Caffres the whole of the time in the several conferences I have had with them.

3240. Have you any knowledge of how the Caffres were supplied with arms and ammunition?—No; it is a very difficult thing to get at that.

3241. Had you not some reason to believe they had obtained supplies out of the British colony?—They admitted getting ammunition from the boors on one or two occasions, and they mentioned the names of the boors; they were some boors who had gone across the Upper Kei, beyond the sources of the river; dissatisfied people, in consequence of something relative to the slave trade. I understood they received ammunition from some of those farmers who had taken slaves out of the colony, and were dissatisfied with the slave regulations; in fact, Macomo told me the names of the men, and I reported them to the governor; he mentioned the names, and said he received ammunition from these people. I have no doubt they got muskets from the traders who went into the colony; in fact, there was a great quantity of arms brought into the colony, and taken by traders into Caffreland.

3242. Mr. *Gladstone.*] Do you conceive that the traders settled in Caffreland were the medium through which probably the greater part of the arms and ammunition was acquired?—I have no doubt of it, for I know many persons in Cape Town brought out arms for the purpose of selling them, and they were arms of a description which the British would not buy. I saw many cases opened in Graham's Town, brought out from Birmingham and the manufacturing districts, which no one there would buy but the Caffres, who know very little of fire-arms.

3243. From their inferior quality?—Yes.

3244. Do you think then that the amicable relations established between the Caffres and the traders, in that intercourse, might have been, in some degree, the reason why the traders were treated with less cruelty at the time of their irruption, and with so much more leniency than the farmers of the colony?—They did not consider themselves at war with the traders; they made war upon the colony. The traders were in their country, and they did not make war upon them.

3245. They did not look upon the traders as identified with the colony?—No, they were in their country.

3246. *Chairman.*] Do you happen to know how many of the traders had been killed prior to the 12th of Jannary?—I do not know exactly. I brought away the family of one trader, who had been murdered near Burn's Hill Institution. When I brought some of the traders away, I brought the children of a man who was murdered at that place. I think a man of the name of Kent.

3247. Was not Warren the name of another?—I am not sure. I know a man of the name of Purcell was murdered some time before.

3248. Prior to the 12th of January, you are not aware that more than three or four of the traders had been murdered?—No, I do not recollect.

3249. Have you any notion of the number of Caffres that were killed during the whole war?—After the peace I asked the question of Macomo and Charlie, in my own tent, and Charlie admitted he had lost 300 of his best men, and Macomo admitted he had lost the same number. I was going on with the subject, but something interrupted the conversation; in fact, they always avoided the subject as much as possible. I should think there was 2,000 killed by the various patrols and other troops at different times.

3250. Are you aware the governor has reported the Caffres to have lost 4,000 warriors?—I never heard of that; it is very possible. Mine was a very rough guess; I have no means of ascertaining, except by conversations I had with some of the chiefs.

3251. In the governor's communication occurs this passage: "In the course of the governor's progress in the census of the tribes of Gaika and Slambie, they have ascertained that their loss during our operations against them amounted to 4,000 of their warriors and fighting men, and among them many chiefs. Ours fortunately has not in the whole amounted to 100, and of these only two were officers. These have been taken from them also, besides the conquest and alienation of their country?"—I have no doubt that is correct; the governor must have the best means of judging.

3252. Mr. *W. Gladstone.*] Do you conceive that by the term "lost," the governor refers to those only who were killed, or those who were killed and wounded, or disabled by wounds?—I should think by "lost" must be meant killed.

3253. Are you aware whether there were nearly 100 killed on the part of the British?—I should think there must have been about 100.

3254. *Chairman.*] What was the total amount of cattle taken from the Caffres during that time?—That I have no means of judging of, except by hearsay.

3255. What was the amount taken by the detachment you commanded?—I took in my own division, I think, about 7,000. A great many were Caffre cattle, of a very inferior description. We got few or none of the colonial cattle; the colonial cattle were all sent to the rear through Hintza's country, and protected by a body of Caffres sent on purpose to take care of them. Botman was the person who had charge of them, so that the cattle we took were quite of an inferior description. I have heard the amount variously stated.

3256. Do you apprehend, from your knowledge of the colony, that if permanent peace were established with the Caffres there would be a considerable accession to our legitimate trade there?—I do not know as to trade; I cannot give an opinion. They take a few woollen things, blankets and so on; and there is nothing we could get from them but horns and hides. I have no means of judging upon that subject.

3257. Have you formed any opinion as to the mode by which peace could be most permanently established there, and by which we, as a civilized and Christian people, could impart civilization and Christianity to the natives?—I have not the smallest doubt, that if the system adopted by his excellency Sir Benjamin D'Urban is acted upon, with the use he made of it, it would be a most fortunate thing for the colony, both for the Caffres themselves, and for the protection of the frontier, and they are perfectly satisfied with it. That I know from private conversations with the chiefs themselves since the peace has taken place, and they have stated their satisfaction in the most unreserved manner when they have talked upon the subject.

3258. But do you think they would be satisfied if the system of patrols and commandos were re-established?—No; I think they would be much better

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satisfied with the system which prevails now. Formerly they could not restrain the men from plunder; they had not the power.

3259. Mr. *Gladstone.*] What do you consider the essential distinction in the system of Sir B. D'Urban?—He took them as British subjects under our protection; each chief knows his country, and we have established a system of posts by which they cannot get into the colony.

3260. Are reprisals by the colonists wholly forbidden?—I believe so, except under certain limitations.

3261. As the Caffres are not a people having settled habitations, do you not conceive a constant contact with a civilized people, and continued amicable relations which would arise among them, would increase their wants, and consequently increase our trade?—No doubt of it; the more frequent intercourse they have with a civilized population, the more their fictitious wants will increase.

3262. In that way then the continuance of peace will tend to increase trade?—Decidedly.

3263. Have you formed any opinion in particular as to the manner in which the blessings of Christianity may be communicated to them?—I think if the Caffres are well treated, that people they know and have confidence in may do anything with them. They are a very jealous and cunning people; but if they are kindly treated by those they have confidence in, they are very correct in their feelings.

3264. Do you think they are a people possessing gratitude, and the better feelings of our nature?—Yes; I think a good deal may be done with them if they are kindly treated.

3265. *Chairman.*] I am now going to the period of November 1833. Did you receive any orders to reinforce Capt. Aitchison's detachment in November 1833, when he was employed in removing the Caffre chiefs Macomo and Botman beyond the Keiskamma River?—I do not recollect receiving any orders upon the subject. I recollect meeting Capt. Aitchison with his patrol at the Black Drift.

3266. Had you a force under your charge to assist Capt. Aitchison?—I must have had some force with me when I moved from Fort Beaufort.

3267. Was the purpose for which you went there to reinforce Capt. Aitchison?—I cannot recollect; I recollect going from Fort Beaufort, and meeting Capt. Aitchison, but I do not think I had any force with me but my own escort. The post was so weak at that time, that I do not think I could have had any large force.

3268. You do not recollect receiving any instructions to march out with the force, for the purpose of reinforcing Capt. Aitchison, whose detachment was supposed to be too weak to execute his orders?—No.

3269. Mr. *Gladstone.*] Are you aware of any change of frontier policy which took place in the year 1827?—I was at home in 1827; I came home in the early part of 1827; I believe there was some change. General Bourke went up to the frontier at the time of my absence, and re-established that post at Fort Beaufort.

3270. Had you ever, at any subsequent period, the means of forming an opinion as to the result of that change of policy in promoting the tranquillity of the frontier?—No; there formerly were continual changes of policy on the frontier. The whole of the time I was there the Caffres plundered and stole cattle, and sometimes we were ordered not to fire upon them or commit any act of violence, only to apply to the nearest kraals, to take their cattle, and so on. The fact is, that Caffres always will steal while they are Caffres; they cannot avoid it.

3271. That uncertainty of policy would increase the disorder?—Yes; different systems have been tried, but the Caffres will steal. We left off treating them with violence, and they became emboldened. The Caffres knew we could not fire upon them, and they sometimes got hold of the bridles of the orderlies. Two men were tried for murder for firing at Caffres, so various were the orders.

3272. *Chairman.*] Is it your opinion that permanent peace is rather to be expected from a judicious mixture of severity and conciliation?—Certainly. The Caffres should be treated as a school-boy, with the greatest kindness when you can

can do so; but let them know you are master, by inflicting proper punishment for misconduct. Lieut.-Colonel *Cox* 20 April 1836.

Major *Cloete*, called in; and Examined.

3273. *Chairman.*] HAVE you been resident at the Cape of Good Hope?—I am a native of the colony, and have been resident there ever since 1814, with short interruptions. Major *Cloete*

3274. You have been upon the frontier?—I have.

3275. Have you been stationed there any considerable length of time?—No, never stationed there; I have only visited the frontier.

3276. Can you give the Committee any information as to the system adopted for repressing the encroachments of the natives upon the frontier?—Certainly; but, having attended during the examinations before the Committee, I can offer nothing which is not already on record with regard to that system.

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*Mercurii, 27° die Aprilis*, 1836.

MEMBERS PRESENT.

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| Mr. Thomas Fowell Buxton. | Mr. Henry Wilson. |
| Mr. Bagshaw. | Mr. Andrew Johnstone. |
| Mr. Lushington. | Mr. Gladstone. |

MR. THOMAS FOWELL BUXTON, IN THE CHAIR.

*Walter Gisborne*, Esq., called in; and Examined.

3277. *Chairman.*] YOU have travelled in the Cape Colony, have you not?—I have. *W. Gisborne*, Esq. 27 April 1836.

3278. Did you go into Caffreland at all?—I went some hundred miles into it.

3279. In what year was that?—It was in the years 1828, 1829 and 1830.

3280. Did you remain there the whole of that time?—No, I was there part of the year 1830; I was on the border, in the neighbourhood of Caffreland, and in Caffreland, in the whole of 1829, and returned to Cape Town in the beginning of 1830.

3281. During the period you were in Caffreland did it come under your observation, or to your knowledge, that the Cape government had taken any part of the country occupied by the Caffres from the Caffre people?—Yes, in two instances. I was with the military party who ejected a chief and his tribe. The name of the chief was Macomo; and it also came to my distinct knowledge that another chief of the name of Gaika had been ordered to give up a part of his territory, and that a fresh boundary was placed between the Colony and Gaika. I saw Gaika several times.

3282. Was this territory yielded by agreement by the Caffres, or was it taken forcibly from them?—Macomo's territory was taken forcibly. Gaika was ordered to retire from the part of the country he had been allowed to occupy under some kind of treaty which had formerly been made between the government and him: he was ordered to retire. I think the government officer employed in ordering him to retire was Colonel Somerset or Captain Campbell. I remember one of them talking to me about it. I am not certain whether I was actually present with the party, but I was in the immediate neighbourhood. I was told that Gaika was very sulky in being ordered to retire within the boundary, which the treaty had declared that it should be in the power of the English Government to oblige him to retreat behind, if they found it necessary. Macomo's country was taken by actual violence, against his will.

3283. What do you conceive to be the extent of the territory taken from Gaika?—I should think it was small; but I am not able to speak confidently to that point.

3284. Are you able to speak to the extent of territory taken from Macomo?—I cannot describe it otherwise than very generally, but it must be many miles each way. I accompanied one of the military parties as a friend of the officers, when they were sent into it. I think the military was divided into three or

four parties, who were in it for two days, going about the country and destroying the villages; and the country was so extensive, that our party had no communication with any other. The other parties were sufficiently far from us for us not to be aware that they were in the country, except by seeing the smoke of villages burning; and it was only on the evening of the second day we joined them again, so that the country must have been many miles each way in extent.

3285. Was it arable land?—No; the land in that country cannot be called arable. It was very good pasture land at the time it was taken. It was spoken of also as amongst the best land in that part of the country. I believe new acquisitions from the Caffres have been often thought so. Till the land has been depastured it bears a greater abundance of grass than it does afterwards; it was spoken of at the time as being a very great acquisition, and the best situation for colonists.

3286. Did you happen to observe whether it was capable of irrigation?—I think there is no river in that country that can be trusted to run for a sufficient time in the year to irrigate the land. There is a river through it, but I think it was only at the sources it could be depended on for irrigation, and that only for a short distance; we found a considerable quantity of Caffre corn cultivated in the country.

3287. Be pleased to explain the circumstances which came under your own observation, or to your own knowledge, relative to the expulsion of Macomo?—My knowledge was derived partly from general report and partly from the conversation with officers with whom I was living, whom I suppose to be very well informed. It was commonly said that Macomo had quarrelled with the Tambookies; that he had made war on them, and captured from them about 7,000 head of cattle; the Tambookies chiefs reported this to our government, and I believe asked for aid and also for actual provision for themselves, in consequence of having lost their cattle. Our government remonstrated with Macomo, and insisted upon his restoring an equal number, which he constantly put off. I believe he never actually refused. He said he would if he could, but that the cattle had been distributed among his people, and it would be impossible for him to recover them, and therefore, after a considerable time spent in that way, military parties were ordered to go into his country to capture all the cattle they could, and to expel him and his people from it. The country was afterwards colonized by free Hottentots.

3288. Those were the general motives which led to that step?—I believe they were.

3289. What circumstances took place in your observation as to the method of moving him out of the country?—The party of military I accompanied went into the country; they met with no opposition; they found a number of people, who immediately fled to the woods. They captured all the cattle they saw feeding, and burnt every village and every house which came within their range. The Caffre corn which was growing they did not destroy, and the officers certainly ordered it not to be destroyed, and not to be burnt, so that if the Caffres chose to return at a future time, and reap that corn, they might, but it was almost impossible to prevent the horses straying into the corn, and almost impossible to prevent the soldiers wilfully turning their horses in, that they might get a much better meal than they would otherwise. In most instances, the soldiers went into the huts before they burnt them, and brought out any particular articles, such as the skins to hold milk, and other vessels, and laid them outside the houses, before they burnt them, but where the villages were large, it was impossible for them to do so in every instance. I saw no injury done to any person, though I saw a very distressing case, in which a hut had been burnt, not by the party I was with, but by another: the hut must have contained a poor idiot Caffre woman, who was also blind, and she was crawling about when we came up, not knowing how to escape, and was burning herself. She was immediately removed by the soldiers, and they left a hut standing for her, and some of the Hottentot soldiers, from their own feelings, left their rations with her, that she might have food.

3290. That injury was of course not intentional?—Of course not at all.

3291. Had you an opportunity of communicating with the Caffres, so as to ascertain whether they considered the expulsion from their country a great injury?—They certainly did, but we had no communication with any Caffre in that country at the time, except with one man who had got to the other side a rocky

ravine, while a village was being burnt. He called out to us in the Caffre language, which was explained to us by an interpreter, and asked us why we were burning his house? and it seemed to be difficult to make a reply: there was general silence throughout the party.

3292. Is it matter of indifference to the Caffre whether his hut is burnt or not?—No, certainly not; the Caffres may be said to have regular residences and stationary villages.

3293. You consider it a considerable grievance to them to have their huts destroyed?—Certainly, and especially where they are also forcibly driven from their lands, and prevented returning to them again.

3294. Mr. *Bagshaw.*] By a hut you mean a kraal?—Yes; but a kraal is a collection of huts.

3295. The huts are merely boughs bent together?—Yes; but sometimes they are very clean in the inside; they have often an artificial floor, made of clay and cow-dung, and as clean as an English plaster floor. I should perhaps say, I afterwards went into the interior, and was much among the Caffre tribes, and we were generally on friendly terms with them, and they often used to refer to the expulsion of Macomo, and ask about it, apparently thinking it was part of a general system of taking their country from them; even Hinza, and other chiefs less powerful than him, alluded to it in their conversations with us.

3296. *Chairman.*] Will you state the general impression which the whole transaction left on your mind as to the system of measures of expelling the Caffres from their lands, as to its policy, and as to the probable consequences with regard to maintaining peace in the country?—As to the justice of the measure, I think that ejecting people entirely from their land, because they had been at war with others whom we might call our allies, was certainly the strongest kind of punishment that could possibly be inflicted, and for an apparently almost dubious crime. The Caffres are constantly making war one with another, and a predatory war is not the greatest of crimes in their eyes. The government, very likely, were better informed as to what excuses, good or bad, Macomo might have for going to war with the Tambookies. He was a very uneasy neighbour, and I have no doubt the Cape government were very desirous to get rid of him as their neighbour. He might be almost called a usurper. He was a very active man. He had always a considerable number of the most enterprising of the Caffres, who liked to serve under him, because he was a most successful plunderer. I think it would have been very difficult for any person to have relied on a promise or treaty of Macomo's, because he had established his power by being at the head of what might be termed a banditti. His father was Gaika, and Macomo could have no right to the territory till his death, if even then, not being his eldest or succeeding son. He had become the head of an army, and a certain portion of territory had been yielded to him, perhaps by Gaika. He was probably as difficult a man to live on good terms with as any man that could be found. The consequence of the measures might be easily foreseen. Macomo had no place to go to except to retire to a part of the country where the Caffres declined to live (unless they were forced to do so), for want of water; he could not be expected to live there any more than the Caffres who had refused formerly to occupy it. He must therefore be still expected to live by rapine, and even more so than when he had a country where he could live by pasturing cattle and cultivating corn. He retired further down the Sward Kei (I think), where is a very bad country, and I believe then became for some time a head of mere roving banditti, and lived on his neighbours. Since that time, he succeeded to the power in Gaika's country, and then of course his circumstances were altered. He was, in the first case, driven back on the Caffres, who were altogether deficient in pasture land. The numbers of persons to be supported by the same country were considerably increased, and their extent of land diminished.

3297. Do you apprehend that Macomo entertained so painful a recollection of this season of his life as to have influenced him in his late attack, which had been made in the colony by the Caffres?—I think it is impossible to doubt that Macomo's feeling certainly had not subsided for a considerable time. He had professed to be very willing to make terms with the colonists again, provided they would give him part of his land. His feelings had not at all subsided in the 12 months I remained on the frontier. I was anxious to go into his country. I was with a party of Dutch elephant hunters, but they refused to go

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into his country, saying, that it was not at all safe; that Macomo would be very likely to revenge himself on all white people; and I have no doubt they acted perfectly wisely.

3298. Did you accompany any military parties for the purpose of recovering stolen cattle?—Yes, I did; several.

3299. Will you state any particular instances you now recollect, and the proceedings which took place?—I do not think I could designate particularly any instances. The military at whose quarters I was then residing used to receive orders from the commandant of the frontier to go and recover from such a village so many cattle. The circumstances under which they were sent were these: When cattle had been stolen from the colonists, or reported by a Dutch boor, or English colonist, to have been stolen, soldiers, or others, were sent to follow the track of those cattle if possible; they traced them into a Caffre village, and then they demanded from the inhabitants of the village where the cattle were; and if they could not show the traces of the cattle out of the village, that village was held liable for them. Orders were then sent to the military on the frontier to go to such a village and recover such a number of cattle. I went with them a number of times. The recovery was always attempted by surprise, for if the Caffres had had any suspicion of the attack, the party would not have taken the cattle. It was usual to arrive near the village after sunset, and lie there till the morning, and then rush into the village and capture all the cattle they could.

3300. Suppose any resistance were made, were the military empowered to fire?—I have no doubt the military were empowered to fire in that case: they were always, I believe, loaded with ball, and carried ammunition with them. I never saw resistance made. The military generally showed no disposition to fire. The Caffres used to get on the hill-tops, or among any trees they could, and shake their assagais at us; but I believe the military were permitted to fire only in case of assagais being thrown. I have seen the assagais shaken, but never saw a musket fired.

3301. Mr. *Bagshaw*.] You are aware probably there were orders from the government to the military, chalking out the line they should adopt in those expeditions?—I am quite aware of that.

3302. *Chairman*.] Do you know whether accurate measures were taken in all instances to ascertain whether the cattle reported to have been stolen had actually been stolen by the Caffres?—The general impression in the country was, that there were not sufficiently accurate measures taken; when a Dutch boor, or an Englishman, reported that they had lost cattle, they were very much suspected of reporting more than they had actually lost, and there was no efficient check to the number they had reported. I cannot say more than that, not knowing in any case the number reported to be taken, and the number actually stolen.

3303. Might it not have happened that a Caffre stealing the cattle of a colonist might drive them through a kraal, and it would be impossible to trace them, because traces of those cattle might be mingled with traces of others?—I think in some instances there was an impression that it was dubious whether the villagers were the actual perpetrators. I think it was sometimes thought that they were not the perpetrators, and that in those cases they were made to suffer punishment merely from having connived at or secreted the proceedings of other Caffres.

3304. Might it not possibly have happened that, without their cognizance at all, Caffre robbers might have driven stolen cattle through their kraal, or into the neighbourhood of their kraal, at night, they being perfectly unconscious of the transaction?—I think that cannot be thought to be probable, barely possible. The Caffres are very watchful; their kraals are always full of dogs, and they would have heard a great barking of dogs in case of anything coming near to their kraals. We used to find them very alert. The military whom I accompanied found it difficult to surprise the Caffres; they sometimes failed. The Caffres took very ingenious measures to prevent it: they are a watchful people.

3305. What quantity of cattle did you ever see taken from the Caffres?—The largest quantity I saw taken was from Macomo, who attempted to get the cattle out of his country; being aware it would be attacked he endeavoured to drive them immediately in sight of one of our barracks; he could not retreat to the northward because the Tambookies were there, and he could not go to the

the eastward because Forsanie or other Caffres occupied that country also, so he made an attempt to drive them under the walls of one of our barracks. to get them down into his father's country. We saw very large clouds of dust rising, and soon discovered immense herds of cattle; directly afterwards a Caffre came in, well known in the camp to be one of Botman's, a very friendly chief, saying, that Botman was going across, and asking for a bottle of brandy; he was answered, that Botman was a drunken old fellow, and if he wanted it he must come himself: considerable suspicion afterwards arose, and the principal officer ordered 20 men to mount and to go out and see what the case really was. As soon as we got near we saw a general scattering of the cattle take place, and it was plain that a very ingenious expedient was being made to escape with their cattle, under the very noses of the military. We captured a great many, but had not men enough to take all we might have done, but we captured several hundred; above 1,000, if I rightly recollect.

3306. In what year was that?—In 1829.

3307. Was there any indisposition on the part of the English to permit Macomo, whom they were expelling from his territory, to remove the cattle he had?—It was at the time when we were demanding 6,000 or 7,000 he had taken from the Tambookies, and that he was refusing or sending excuses for not paying them.

3308. Are you aware what became of the large number of cattle thus captured?—Yes; some weeks afterwards I was among the Tambookies when they were sent up and distributed among the Tambookies; Powena's Tambookies.

3309. Do you know what number were thus distributed among the Tambookies?—I do not know, but I think a number inferior to those they had lost.

3310. Was any proportion of the spoil given to the British settlers?—I was present when two or three distributions of cattle were made to British or Dutch settlers who had lost cattle, and were repaid by Caffre cattle, taken in their place; but I think those taken from Macomo were given to the Tambookies. I think the government wished to remunerate them in the first instance. At the very time Macomo was being expelled, he himself came into the Fish River bush, far inland in our colony, and captured more cattle from the colonists than had been taken by the military from him.

3311. How often were the military called upon to go out on expeditions against the natives; was it frequently?—At that time very frequently, and much more frequently than usual, I believe, in consequence of the neutral territory being depastured by colonists; they were in consequence brought into much more immediate contact with the Caffres; it is possible that a feeling might exist amongst the Caffres, that they had no right to depasture this territory, which was called neutral. The conduct of the military was very mild and forbearing; when I saw them, they carried off what cattle they wanted, and what other cattle they saw they left behind uninjured; they always left the calves behind; they acted then, I presume, strictly according to their orders.

3312. Your opinion is, that blame was not attachable to the military, but if there is any blame attaches, it is to the policy that dictated this measure?—Yes.

3313. Mr. *Bagshaw*.] You have spoken of Macomo's expulsion: you are aware that he was only allowed to remain on sufferance on the neutral territory?—I never understood that the country had been considered as neutral territory: I was not aware of that.

3314. The Committee are to understand that your reasoning is on data you were not acquainted with exactly at the time?—I am reasoning as if the expulsion of Macomo was out of a country belonging to Macomo.

3315. It appears by the evidence before this Committee, that it was not so, that it had been ceded by former chiefs to the British authority, upon an understanding that that part between the Keiskamma and the Fish River was to become the neutral territory; that no Caffres were to reside there, but that they have been allowed gradually to come in to graze their cattle, and have taken advantage of that permission to commit depredations upon the colonists, and were, upon being convicted of those offences, as it may be termed, by the government, expelled in the way described; if so, it was not from his own acknowledged country that he was expelled?—In that case, such was the fact.

3316. How long were you on the frontier?—Something more than a twelve-

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month in Caffreland, and on the frontiers in Caffraria about six months, and on the frontier seven or eight.

3317. You think that Macomo continued to harbour a spirit of revenge against the colonists, which showed itself in the irruption which has subsequently taken place?—I should think it probable. In the year 1830 Macomo's feelings were very strong, and they probably remained strong afterwards.

3318. As you have been so long from the colony, you will perhaps agree that your opinions are not so much to be regarded as those of persons who have been longer in the colony at a later period?—Certainly, mine is no more than the opinion of any private individual who has not been in the colony since 1830.

3319. Mr. *Lushington.*] The Committee understand that you proceeded a considerable distance beyond the boundary of the colony?—Yes.

3320. Be pleased to designate the boundary of the colony in that direction?—At that time I believe the nominal boundary of the colony was the Fish River, and the actual boundary of the neutral ground was the branches of the Keiskamma River and the Kat River. Those were the boundaries beyond which the Caffres did not come to the westward, and the colonists did not go to the eastward. I do not know the legal boundaries at the time.

3321. Assuming the Keiskamma to be the boundary at that time, what distance did you go beyond that river to the eastward?—I must speak widely, but perhaps a couple of hundred miles to the eastward of the Keiskamma.

3322. Did you find any colonists settled beyond that boundary?—No; I did not. The information I have upon that subject is merely hearsay, and relating to the Bechuana tribes to the northward, and to the Bushmen's country, and, I believe, the Griquas. I heard that a number of colonists had settled in those countries, and that it was a very common system among the Dutch farmers to send their children out of the colony, with a number of cattle and a waggon, to establish themselves at any spring, or on any river brink that happened to afford a permanent supply of water. The Cape government, while I was in the country, became aware this had been carried on to a very considerable extent, and they directed Captain Campbell, the government commissioner on the frontier, to ascertain the extent. He told me that he sent a messenger with a bullock waggon, and that he had travelled 14 days before he came to the most northern interloper; and Captain Campbell jokingly observed to me, "If they only leave them alone, they will discover where the mouth of the Niger is before any men from the northward, and that they will make greater discoveries in the interior of Africa than any others."

3323. What class of persons were those?—They were the sons of Dutch farmers.

3324. Without asking you to specify the exact number, can you give to the Committee any idea of the number of persons who were spread over that part of the country?—I have no doubt, from what I heard, that they amounted to hundreds, and I have also no doubt it was a common practice of the farmers on the frontier to provide in that way for their sons.

3325. You think in that country their numbers will increase?—They were increasing in 1830 very rapidly, and it was that which had drawn to them the attention of the government.

3326. Do they depend entirely upon their own labour, or were they provided with any slaves?—I never heard they were provided with slaves. It is not uncommon to find Caffres, and Bushmen, and Bechuanas acting as servants to the colonists, but that was entirely a voluntary servitude.

3327. You had this information from certain gentlemen: you were not there yourself?—I was not there myself: I received the information from Captain Campbell and other persons.

3328. Had they any herds of cattle or flocks of sheep?—Yes; they went into the country principally for the sake of pasturage. The country in general is, I believe, very dry; they could only cultivate a little land in a few damp places they might find.

3329. Did they encounter any opposition?—I think not; the natives up there were very widely scattered and very weak; they were liable to have their cattle stolen, but I never heard that they were deterred from going into that part of the country by the opposition of the natives; it was the general opinion that they were not deterred from going into many parts by the opposition of the natives.

3330. Did

3330. Did you ever hear of any contests between them and the natives, so as to produce bloodshed?—I cannot call to mind that I did; there were frequently contests when Bushmen stole their cattle; the blood was often that of the colonists, for the Bushman in general, I believe, sets fire to the house when he goes to take cattle, and very likely shoots his poisoned arrows at the people as they come out. I never heard of any contests between them and the natives in taking possession of the land.

3331. Did they ever complain of the conduct of the intruders?—I am not aware that they did. I think they were not on sufficiently good terms with any one to make complaints. The Bushman is too commonly every man's enemy, and every man is his enemy.

3332. Were not those colonists aware that it was against the law for them to settle in the colony?—Certainly; I have frequently seen colonists who have been beyond the boundary; they were aware that it was against law without permission to go even into the Bushmen country.

3333. As far as your information goes, in the general, were they persons of respectable conduct, or of lawless habits?—I think they were persons of respectable conduct; they were the sons of farmers. A man's farm not being sufficiently large, he gives his sons a few things, and a team and waggon, and they went beyond the boundary, and moved about till they found a situation sufficiently inviting to induce them to build a house.

3334. Was there a difficulty in keeping the colonists within our frontier, on account of their wishing to emigrate?—There certainly was.

3335. Are you aware of any other cause? were they dissatisfied with the colonial government?—I do not think they were dissatisfied with the colonial government; I think the advantage of escaping the taxes beyond the frontier would be some inducement. I have heard the boors mention that as one cause.

3336. Those were the only grounds you think they had?—Yes; on the frontier the law is very little oppressive; indeed, very little acted on in any way.

3337. The taxes were not considered heavy?—I think the boors complained a good deal of the taxes generally, but it was more perhaps on account of their own great poverty than from the amount of the taxes: a demand for a very small sum of money would be felt by a boor.

3338. Is it your opinion that the settlement of the colonists on the frontier would be productive of beneficial or injurious results to the colony and to the aborigines, through whose territory they may spread?—To the aborigines it certainly would be productive of injury, because the best part of their pasture land would be thus taken from them, and be depastured by the colonists' cattle.

3339. That, in fact, was the case when you were in that country?—It was; I do not see how it can be productive of injury to the colony in any way.

3340. In consequence of the encroachments to which you have referred, were the aborigines driven far back into the interior?—They must have been in some degree; the principal parts of the encroachments were made in a country where good pasturing places were widely separated, so that there would not be a close succession of colonists, but a settlement where the pasturage was good, and then it would be perhaps 20 or 30 miles before another knot of colonists was found. In the Bushmen's country, that would not deprive the inhabitants, who keep no cattle, of any actual pasturage, though it would assuredly deprive them of their subsistence, as they live on hunting and on animals of the chase; so that though no Bushmen's cattle were displaced, it would drive away those animals he hunted, and which he lived on.

3341. From what you have stated, it is to be inferred that the colonists and the natives, whom they have to a certain extent displaced, are at present by no means on a friendly footing, and that no kindly communication passes between them?—They cannot, I suppose, be on a very friendly footing. The colonist remains there perhaps only because he is too strong for the natives to get him away, though, perhaps, for their own interests, they may have friendly relations with him.

3342. Are they likely to amalgamate themselves with the natives?—No; I should think not; I do not think they are likely soon to be on such terms as that the natives can benefit by them.

3343. In the event of hostilities between the British Government and the native tribes on that frontier, or on the eastern frontier, do you think those

emigrant colonists are likely in any way to aid the native tribes there against the colony?--I should think not; I never heard of any circumstance making that likely. I never heard of any white people among the natives, who became sufficient Indians to join the natives in their depredations or their mode of life, except one or two who left the country because they could not reside there from fear of punishment; a man of the name of Lockenburgh, who had been condemned to some punishment by the colonial government, took refuge among the Caffres, and had acted with them in one of their native wars, and was living with them when I was in Caffreland: he died shortly afterwards.

3344. It is in evidence that during the recent existence of hostilities, certain colonists supplied the Caffres with ammunition. Do you think those colonists on the frontier would be likely to supply the natives with ammunition against their own government?—I should think that interest might induce them to do it, if they found they could receive a great number of cattle for a very small consideration.

3345. Mr. *Gladstone*.] Have the settlers in the frontiers the facility of procuring ammunition for themselves?—I presume they can come with their waggons into the colony, and buy ammunition, in the same way as any other person.

3346. The prohibition, in respect of selling of arms to the Caffres, would not affect them?—No; if they came into Graham's Town, it might not be known that they resided out of the colony, or they could get some other settler to obtain the ammunition for them.

3347. Do you conceive that it may be through them the Caffres derived the arms they used during the late hostility?—I can only give a very conjectural opinion, but I think it is the more likely that they got them from the Hottentots than the white settlers.

3348. The Hottentots on the Kat River?—No; the Hottentots who act as servants on the frontier; I think they are more likely to have friendly connections with the Caffres.

3349. Have those Hottentots who act as servants facilities in acquiring arms?—Not great facilities; but a number of them possess guns.

3350. Do they receive them in exchange for money, or what means have they of acquiring them?—They act as herdsmen to the farmers, and it is almost necessary they should have guns.

3351. What do you conceive they get from the Caffres in exchange for them?—The only things that Caffres have to give are cattle or hides.

3352. What would be the value of them to a Hottentot servant?—He might change them into money.

3353. You think they have been most probably the channel through which arms were supplied to the Caffres?—I cannot speak from personal knowledge, but it is my opinion that that is the most feasible way. I have talked to officers from the Cape, since the insurrection took place, and they have spoken of that as the means, in their opinion.

3354. Has it been ascribed, by common opinion, to the traders who live on the frontier among the Caffres?—Yes; to traders who are resident in the colony, and travel among the Caffres from time to time.

3355. Mr. *Lushington*.] It does not appear from what you have formerly stated, that those colonists have committed any atrocious outrages upon the natives, but it appears to be established that they have consumed a great part of the pasturage and the game belonging to those people; this being the case, the Bushmen must starve, because they were in the habit of living chiefly on game?—Yes.

3356. And the Griquas and other tribes, who depend in a great measure on their herds, must suffer, from being deprived of a portion of their pasturage?—Certainly; I think no one in the country doubts that.

3357. The Committee understand you resided six months among the Caffres?—I was travelling for about that time amongst them.

3358. Were you acquainted with their language at all?—Not at all; we had an interpreter with us.

3359. Over what range of country did you travel?—I crossed in a north-easterly direction from the banks of the Kat River, and went within a short distance of Port Natal; to the banks of the Omsinpoobo River, and up it, towards the north.

3360. How did you communicate with the Caffres?—We had a Hottentot who could speak their language; we got him at a missionary establishment.

3361. Did you experience kind treatment from them?—Frequently; when we arrived at their kraals they often immediately killed a bullock and made a feast for us; at other times they kept aloof from us, and that always made us suspicious, and obliged us to keep a watch over our cattle.

3362. Will you state your opinion of the Caffres generally, as you found them?—A great many of them were very friendly disposed towards white people, others were not so. A considerable disturbance had taken place in the Caffre country just before; there was a chief called Chaka, who lived at Port Natal, and had conquered a very considerable part of the Caffre country; he had made war on nearly all the surrounding tribes; he had been assassinated just before, and his country was divided between two or three warring pretenders: that disturbed all the surrounding countries. One of the weaker chiefs had been driven into Caffreland; he had got a number of fighting men with him, and was living by depredations. When we were in his neighbourhood we were considerably alarmed; he murdered Lieutenant Fairman and all his party just at the time we were within 30 or 40 miles of them; and the only person who escaped came and joined us. I think in no part of Caffreland did I see anything progressing towards civilization; even in the neighbourhood of the missionary establishments they appeared to progress very little; it was very difficult to keep the Caffres long enough stationary to become agriculturists: the climate is against cultivation. I think if the land was occupied by white people, they would be principally pasturage farmers, for that they would not be likely to succeed with corn; it would be frequently destroyed by the locusts and drought. When a Caffre chief is a clever man, he has great power; when he is a weak man, the heads of tribes and the heads of villages possess the power he would have if he had more ability. I think the Caffres frequently suffer from the want of food when grass is scarce.

3363. Are the Zoolahs more ferocious characters than the Caffres, generally speaking?—Yes; they formerly conquered the Caffres in their encounters with them. I believe the great advantage the Zoolahs had was in using short weapons instead of missiles: they used their daggers: it was a mode of fighting the Caffres were not accustomed to: they acted more as a body, and conquered a great extent of the Caffre country.

3364. They were more warlike, perhaps, rather than more ferocious?—Yes; we did not travel among the Zoolahs, but I have no reason to suppose they were more ferocious.

3365. The character of Chaka was savage?—Yes; he was, as an individual, as perfect a brute as a man could be.

3366. Was it not reported that he once killed 2,000 women?—It was certainly said that he was killing 2,000 women, at the rate of 200 or 300 a-day; they were the wives of an army which had been defeated, and the cause of his assassination was, that he was killing these women at so many a-day. It was stated that one of his brothers was connected with one of those women, the wife of an absent soldier, and that he stabbed him to prevent her death.

3367. You mentioned that you went near to Port Natal; what is the distance between the River Kei and Port Natal?—I cannot speak accurately to that; I should not suppose it to be more than 300 or 400 miles, but I do not think I can answer that question with sufficient accuracy.

3368. Have the goodness to describe the physical features of the country as far as you penetrated?—It is very like the part of the colony we occupy near Graham's Town: it is covered with sour grass, and in some parts there is sufficient dampness to induce cultivation: it is interspersed with groves of wood, and mimosas are scattered here and there over it.

3369. Is the character of the country, generally, similar to that between the Kei and the Keiskamma?—I cannot recollect that country perfectly. On the Omsinpoobo River there is the same kind of jungle and forest which is on the Fish River.

3370. It is not so fit for colonists and emigrants as some others?—No; I think not. It was the opinion of the Dutch boors that the part of the country which they possessed would be quite as advantageous to them, as settlers, as any part of the country we passed through.

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3371. Who succeeded to Chaka?—I do not know; the country was split between different pretenders. His brother, Dingany, I think, had the principal part of his country.

3372. Is he likely to be friendly to the British government?—I do not know; I have had no means, since that time, of hearing anything of him; he was not supposed to possess the power Chaka had.

3373. Do you think the Caffres capable of improvement?—They are not sufficiently fond of roving to render them incapable of becoming such agriculturists as the country would allow. I should think they are capable of improvement, but it is difficult to give an opinion how far they could be civilized as a nation.

3374. They are scarcely a nation; they are a number of tribes?—They occupy a great portion of country.

3375. Did you visit the missionary stations?—Yes; I was at several of them.

3376. Did you find the Caffres in the neighbourhood of those settlements more civilized than those at a distance?—Not speaking generally, I think. At one of the missionary establishments at which I was, there were a few individual Caffres who cultivated rather more corn and lived rather more stationary than they would have done if the missionary establishment had not been there; but, beyond the immediate village the missionary establishment occupied, which was a small one, I do not think we saw the slightest change.

3377. What denomination of missionary establishment did you visit?—I think they were generally German Moravians.

3378. Were you at Wesley Vale at all?—I know those establishments better by their situations than their names. I do not recollect the name of Wesley Vale at all.

3379. It is the missionary establishment nearest to the sea?—I think I was not there.

3380. On the whole, while you were in Caffreland, was there anything done by the British Government or British individuals to benefit the Caffres or other aborigines?—I think there was no attempt on the part of the Government to do anything that came under my observation to raise the Caffres into civilized beings; what the missionaries had done was in a very small degree. There were a great many things against them; whatever the efficiency of the missionaries might be, it was very difficult to make the Caffres sufficiently stationary for them to have a fair field to work on.

3381. Mr. *Gladstone*.] Did Government give encouragement to the missionaries?—Yes; they had every facility. I do not know how far they gave them actual encouragement. I never heard the missionaries complain, except that when Macomo's country was taken away, the missionary establishments were disturbed. I never heard them complain of the Government not giving them facilities.

3382. Have you considered any special measure for the improvement of the Caffres?—No; I have not. There has been, in my opinion, but little encouragement to hope to civilize native tribes by European Governments.

3383. You are not aware of any plans which have been suggested to the Government on which they might have acted, but on which they have declined to act?—No.

3384. Is the form of government among the Caffre tribes always elective?—I think it is, in practice, partially so; it is supposed that a son of the chieftain ought to succeed, and it is only when he is very unfit for it the rule is broken through.

3385. Besides the person in authority over the tribe, are there persons of inferior rank between him and his subjects?—Yes; there is certainly an officer under him as a military officer. Among the Tambookies, a man was pointed out to me as the principal officer of their army.

3386. Are there any councils, consisting of heads of families as such?—Yes; they call a council on occasions, and that is formed of heads of families or villages.

3387. In those councils various matters are considered?—I presume so.

3388. You do not think that the roving habits of the Caffres are so inveterate, or so deeply rooted, as to be an insurmountable obstacle?—Not an insurmountable obstacle to improvement, but it must be always a rambling nation.

3389. That is consistent with their having settled habitations?—They do live

live the whole year in the same habitations; they constantly remove to better pasturage in the rainy season.

3390. Is the pasturage very much affected by change of season?—Very much indeed; in dry pasturages, in the middle of summer, there is no grass to be found, and their cattle migrate more or less.

3391. Are those portions which afford grass in summer the best or the worst in winter?—I think they will be always the best; and the only reason that they remove in the winter is that they have eaten up the grass in the summer.

3392. Should you say that hospitality was a general rule among the Caffres?—Quite, I think.

3393. And that an unfriendly disposition was an exception?—I think so.

3394. How far beyond the frontier have the Dutch boors, to which you have adverted in the early part of your examination, extended?—I cannot specify the distance; but Captain Campbell told me, that a man he sent out went in a bullock waggon 14 days, in a zigzag direction no doubt, before he came to the last of them.

3395. Did he then reach the extent of their settlements?—My impression is that he did.

3396. Can you give a conjectural estimate of the extent?—I think it must be more than 200 miles.

3397. Does it appear whether the relations subsisting between them and the Bushmen are generally hostile, or that they have any marked character?—I think, from what I heard, they have no marked character: I believe that the Bushmen, when pressed for food, congregate about the habitations of the whites, and endeavour to get provisions from them: but except when obliged to depend on them, a Bushman is always regarded as the enemy of the colonists.

3398. Have those settlers any means of combination for defence?—I fancy that they rather establish themselves in little knots than as individual colonists, with a view to procuring assistance.

3399. Did you ever hear that the fear of being plundered by Bushmen operated to prevent that sort of desire of emigration on the part of the colonists?—In individual cases I have heard it has done so; but the obstacles have not been sufficient to prevent the regular encroachments of the whites.

3400. Have they continued to progress?—They had up to 1830: the matter had gone to that extent, that Government had directed a person to be sent among them to ascertain the extent to which the emigration had gone.

3401. As relates to the intercourse to which this had led between the colonists and the aborigines, you are not aware of any beneficial result?—No; I never heard that the Bushman's character had been in the slightest degree raised.

3402. Do you not think that such excursions by the settlers are injurious to the colony, by tending to promote a hostile feeling on the part of the Bushmen, and also by establishing a community not under the control of the law?—It is certainly establishing a community not under the control of the law; but I cannot state what ill effects had followed. The feelings of the Bushmen were decidedly hostile to all white people: they could not be pleased by the occupation of their land.

3403. Do you not think their hostility attributable in part to their being deprived of their territory in previous times, and in part to the conduct of the whites tending to keep up that feeling?—I believe the Bushmen have always been on bad terms with their neighbours, and that the Caffres dislike the Bushmen as much as the whites do; that they are in the same state of hostility as we are with them. The Bushman has no property of his own; he never puts a house together: if he steals a horse to-day, he sits down and eats it, and never keeps any provision for a future time.

3404. You consider their case much more hopeless than that of the Caffres?—Yes, they are much lower in the scale than the Caffres are.

3405. Have those settlers any religious institutions amongst them?—I am not aware that they have.

3406. Are you aware how offences are punished, whether there are any means but private revenge?—I am not aware.

3407. Have the government any means of reclaiming them?—I should think not, unless they sent the military to oblige them to return.

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3408. That would not be consistent with the law, would it?—I believe all are liable to punishment for going out of the country.

3409. Do you conceive they are subject to punishment for being out of the colony while there?—I should suppose a man might be followed for the offence of going out of the country.

3410. Are you aware whether the government are disposed to regard this kind of emigration with a favourable or an unfavourable eye?—I think with an unfavourable one.

3411. Mr. *Lushington.*] Are you acquainted with any instances of individual Bushmen being reclaimed?—No; I have seen Bushmen in the service of farmers: I believe Lord Charles Somerset had two Bushmen jockies in Cape Town.

3412. By the term reclaimed is meant civilized, and instruction in Christianity?—There are individual instances, I believe, of the sort; for it is not unfrequent to meet with individual Bushmen as servants to the colonists.

3413. Are you acquainted with the laws of inheritance and succession among the Caffres?—No, I am not at all.

3414. Do you know who is the proper heir of the late Gaika?—No, I do not: I think that the succession of a chieftain is practically partly elective, and partly by inheritance. Macomo was not regarded as Gaika's proper heir; I think a chief called Charlie was expected to succeed Gaika.

3415. Do you speak of that with confidence, from the intelligence you have obtained?—I speak from what I heard from the people that were living in Gaika's neighbourhood, seeing him and his chieftains frequently, and from the conversation of settlers in the neighbourhood.

3416. Is not Sandarlee considered the heir of Gaika?—I do not know.

3417. Is not Sandarlee a minor?—I do not know; I do not remember his name.

3418. Did not Macomo obtain his influence in a great measure from having been regent during the minority of Sandarlee?—All these transactions are since I left the country; Gaika was alive at the time. Macomo had great power before his father's death, but I think he had got that by his enterprize.

3419. Had you any personal communication with the late chief, Hintza?—Yes, I was at his kraal, and he was exceedingly kind to us; I was at his kraal several days.

3420. During the period of the residence of your party under Hintza's protection, had any one of them the misfortune to kill a boy belonging to that tribe?—Yes; one of the Hottentots belonging to us, the servant of one of the party, shot a Caffre by accident.

3421. How did Hintza behave on the occasion?—I had better state all the facts. The Hottentot was cleaning his master's gun, which was loaded; a Caffre came, apparently in play, and laid hold of the end of the gun, and tried to take it from the boy; in that situation the gun went off, and shot the man through the body. There was a great uproar among the Caffres, who ran for their assagais. The boy ran into a hut. One of Hintza's wives placed herself before the boy. Hintza came out, and threw his skin cloak over him, and thus saved him from the crowd, and then called a council together. After the council had been sitting for some time, Hintza came to one of our party and inquired what was the punishment in the colony for killing a person. He told him there was a great difference made; if it was by accident, nothing was done to the murderer; but if it was done on purpose, the man was put to death. Hintza made answer, "The accident must be paid for." In a short time he came again, and said that he was condemned to pay 240 buttons, a tinder box, and a knife, for the man's life.

3422. Was that considered among them a severe sentence?—I do not know; I rather think that they thought it was. Hintza apparently kept every thing given him, except that we understood afterwards he had given something to the man's wife.

3423. Mr. *Gladstone.*] Did you enter into the distinction between taking away a man's life by accident and by intention?—Yes; but he immediately replied, "Oh, no! that is not the law here; the accident must be paid for."

3424. Would the fine have been severer if it had been a case not of accident but of malice?—I should think so, by Hintza's answer.

3425. Mr. *Lushington.*] You did not consider the fine a vindictive one?—Not at all. Hintza had been very friendly to us.

3426. Did he give you any feast after that?—He had given us a feast before; we bought some bullocks of him afterwards.

3427. You do not think this unfortunate accident produced any unfriendly feelings on the part of Hintza?—No. Hintza went and asked the man, for he did not die immediately, how the accident took place; he gave a perfectly fair account of it; he said he did not believe that the boy had let the gun off purposely, and I think it was on his account of the matter that it was judged. We remained within his power for some time, and he was so powerful he might have taken any revenge he liked.

3428. Did not a case occur of an English elephant hunter, an officer in the army or navy, being murdered, with all his companions, by the Caffres?—Yes; that was near the banks of the River Umptada, Lieutenant Fairman.

3429. Was that in the Caffre country?—Perhaps it was in the Zoolah country, but I can hardly say; it was by the Zoolahs he was murdered.

3430. The Zoolahs were associated with the Caffres at the time?—No; they were a weak tribe, who had been driven out of their country, in a question of succession.

3431. He was going to Natal?—He was travelling to Port Natal at the time.

3432. Can you give the Committee the particulars of that transaction?—We were about 30 miles from him. We were straitened at the time for provisions, and a party of the Zoolahs were anxious, at least it appeared they were desirous, to get us into their power. A Dutchman, named Lochenberg, had attended a party of Caffres in its attack on this party of Zoolahs. Lochenberg had shot several Zoolahs, and, I believe, also wounded their chief; these men had therefore a feeling against all white people. They sent us several messages, asking us to come to them, and that they would give us a couple of bullocks; but the Dutch boors with us were too cautious, and we never went to them. I believe they induced Lieutenant Fairman to come to them by the promise they made of giving him provisions; but, in the night, they stabbed all his party except one, who escaped to us; he reached us in the middle of the following day, and told us what had taken place; but I believe the hostility of the Zoolahs against those white people had arisen from the fact of Lochenberg having accompanied the Caffres in their attack on the Zoolahs.

3433. You do not imagine that the Zoolah murderers were at all instigated to this by the Caffres?—No; they were on the worst possible terms; they were living among the Caffres by force. I frequently saw the Caffres run into their kraals and get their arms, on a report that the Zoolahs were coming.

3434. Can you give the Committee information as to the Ficani tribes?—I believe that is a Caffre term for all strangers. That the tribes from the north are very often starved out or driven out by wars; then they come down on the Caffre tribes, and I believe any tribe from the northward coming in that state of things are termed Ficanis.

3435. *Chairman.*] Have you formed any opinions as to the best mode of producing tranquillity on the frontier?—No; I think that every aggression into the Caffre country, by taking their land, produces a strong feeling; at least all those I had any knowledge of, produced a strong feeling of uneasiness among the Caffres.

3436. Do you happen to hold any opinions as to the authorities we should have in the neighbourhood of the Caffres, whether it would be advisable to go on leaving the whole under the control of a governor on the coast, or to have some authority immediately in the neighbourhood?—I think there ought to be authorities immediately in the neighbourhood. The transactions with the Caffres are of considerable importance and almost of daily occurrence, and so many unforeseen circumstances frequently arise, that a person on the spot, acquainted with the Caffres, and perhaps, I might say, somewhat trusted by them, would be more likely to keep them quiet, than the governor at Cape Town.

3437. Supposing peace and tranquillity to prevail between the colonists and the Caffres, do you not think it possible there would be a considerable increase of trade?—I think not. The only articles the Caffres have are cattle and hides; cattle they must keep for their own subsistence, but hides they can afford to sell. The quantity of hides brought for sale did not appear to increase much during the time I was in the country. I think they have not any other considerable articles they can bring into the market.

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3438. Do any recommendations occur to you which would be likely to tend towards peace between the British and the natives?—I think the greatest freedom of intercourse should be given between them; I cannot suppose that a system of exclusiveness can tend to a good feeling. I should think the present system of having the Caffres within the colony, and our military post around them, would have a great tendency to keep them quiet. I think the Caffre chieftains are not sufficiently powerful to make them answerable for the acts of their nation, yet there are a great many boors on the frontier who can live on very good terms with the Caffres; the Mullers, who live on the frontier, always keep on good terms with them, so that it shows that it is possible for individuals to keep on good terms with them.

3439. Did those Mullers send their cattle into the natives' territory?—They did; they used to trust them to the Caffres, even when they were frequently carrying off the cattle of other colonists. The Mullers left their horses and cattle in Hintza's country to fatten there, after the unfortunate killing of a Caffre, as I have before mentioned.

3440. Were those horses and cattle taken away in the late insurrection?—I think they meant to leave them only for a few months in Hintza's care. After that they would probably send over for their cattle and make him some present, probably giving him some breeding cattle, which is the most important present to Caffres.

3441. You have been in Canada?—I have.

3442. Upon the border?—I have.

3443. Did you observe any striking difference between the intercourse of Europeans with the Caffres and that which takes place between the Indian and the Canadian or European?—Yes; there is much greater intimacy of union between the Indian and the Canadian than between the Caffres and the colonists. The Indians mix most freely with the Canadian whites, and regard them as friends.

3444. Mr. *Gladstone*.] Do you ascribe that at all to the system of presents?—I should think so, and to the Indians living very much at present on the bounty of the whites. A Caffre does not receive anything from us; an Indian knows he shall forfeit his yearly blanket and his ammunition, if he is found unfriendly.

3445. *Chairman*.] Is there not a method of protecting the Indian against his selling his land to traders at an inferior and insufficient price?—I think the Indians have pensions given by our Government when their land is sold; so that they are still dependant on the Government where they have sold their land: but I think there is a strong impression that the traders cheat the Indians very much, and that when the land is sold the account of the traders is a very heavy set-off against it.

3446. Can the Indian dispose of his land but through an act of Government?—No, certainly not.

3447. That is one of the precautions taken to prevent the Indian being defrauded by the trader?—Yes.

3448. Mr. *Gladstone*.] Are the Indians within the boundaries of the British territory?—There are Indians surrounded by the British territory at Sandwich, near the border of Canada. There is a considerable Indian district there, which we are desirous to get: we want to make a road through it to another settlement.

3449. The King of England does not claim sovereignty over them?—No, I believe not.

3450. Do you know whether they are a declining population?—I think they are.

3451. You think that does not arise from ill usage?—I think they are very much lowered in their means of livelihood; that their hunting-grounds have been taken from them.

3452. Do you think they are crippled in their means of subsistence?—I should not suppose they have a greater scarcity than they would have in a savage state but they have not the means of sending out little parties, as they would if they had more hunting-grounds.

3453. Does the use of spirits prevail among them?—Yes, it does.

3454. Do you think that has a deleterious effect?—I have no doubt it has.

3455. Have they taken to agricultural habits at all?—I have heard only of one

one instance, and that connected with the Methodist missions. Those Indians have actually hired themselves out to the colonists to chop down wood, and there was a good deal of agriculture being done by themselves. I think that was quite an individual case.

3456. How long were you in contact with the Indians?—I was in contact with the Indians on the frontier perhaps a fortnight; then I went into the States, and was in contact with the Indians there. The important difference between the Indians and Caffres is, that no spirits have ever been introduced among the Caffres, and they are not seen so entirely degraded as the Indians are, when they live in villages among the whites. They are a very degraded race, and look more like dram-drinkers than people it would be possible to get to do any work. The Caffres are a fine, tall set of men, and able to do anything.

3457. Have the Caffres any guns?—When I was among them, they had neither guns nor ammunition, and they did not appear to be well acquainted with the use of a gun.

3458. *Chairman.*] Did you ascertain that the population of Indians in Canada had decreased in consequence of their communication with Europeans?—Yes, that is a very general opinion.

3459. Did you, when you were at the Cape of Good Hope, visit the territory occupied by the Hottentots on the Kat River?—Yes, it was established at the time I was there, after the ejection of Macomo. I afterwards went through the little colony, and was, I think, encamped by it two or three days.

3460. How long had they been settled on the Kat River when you were there?—Perhaps six months.

3461. Did you observe that they had made any efforts to improve the means of livelihood?—They were rather talking of doing so than had done it: they had sown some corn and vegetables in damp places, but I do not think they had got the water out of the river. They were living in very disagreeable circumstances. Of course the Caffres had a very hostile feeling towards them, from their having been ejected from that country; but without any military aid, they had been able to defend themselves: they had shot one or two Caffres attempting to steal their cattle. One great reason, I apprehend, of so many cattle having been stolen is, that the Dutch boor hardly ever defends himself. He often shuts himself up, and lets the Caffres take his cattle, and then applies to the next military commander for redress. The Hottentots perhaps think that they do not stand on the same ground, and will not be able so easily to obtain restitution; and therefore they take care of their own cattle, and defend them in case of their being attacked.

3462. You think that the claim which the Dutch boors have been permitted to make on the government for restitution, has rendered them indifferent to the defence of their cattle?—Yes, I think the expectation the Dutch boor has of the government getting his cattle back, is one great reason of his being indisposed to make much resistance, and that they do not run the risk of defence as the Hottentots have done, when the Caffres have attempted to rob them.

3463. Mr. *Lushington.*] A boor, though he might have so large a number restored to him, will not have them of the same value?—No; but it is considered that the boors often give in a considerably larger number than they have had actually stolen from them; that was a very general opinion in the country.

3464. Mr. *Gladstone.*] The difference of the colonial and Caffre cattle was very great?—Yes.

3465. Consequently, if he was indemnified, he must get a much larger number?—Yes, the difference, I should think, is one-third.

3466. Do you think that produces a general indifference in the boors, in consequence of their being sure to be indemnified?—I think that was considerably the case: it was the general report that the boors seldom exposed themselves if they heard their dogs barking, and were aware that the Caffres were stealing their cattle.

3467. Whereas the Hottentots acted differently in similar circumstances?—Yes; they always saved their cattle, and had killed several Caffres in the different attempts they made. I do not think I ever heard of an instance of a boor killing a Caffre stealing his cattle when I was there.

3468. Were the Hottentots more favourably situated for combination?—Yes,

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they have placed themselves in villages; but the boors have generally a number of persons around them, Hottentots and farm servants living with them. They might make a considerable resistance, if they felt that they should be great losers by the attack being successful.

3469. Do the Hottentots make considerable resistance?—In several instances they had united to drive away the Caffres who came to steal the cattle.

3470. Do you think the resistance of the boors would be much more easy than that of the Hottentots?—The numbers of the Hottentots would enable them to resist more effectually.

3471. Mr. *Lushington.*] Did the authorities make any allowance for the difference of cattle in the indemnification, or consider the same number which had been stolen to be equivalent?—They allowed only the same number. It was said respecting the Caffres stealing cattle, that the circumstances were so favourable to them as to induce them to steal from colonists rather than from other Caffres, as he only had to restore the same number. If he was not discovered, he got the whole; if he was discovered, he gained to the extent of half, or one-third in the value.

3472. The difference in value induced the boor to give in a different account of the number?—Yes.

3473. Which he was in the habit of practising?—I understood so.

3474. Mr. *Gladstone.*] Was the boor's account taken for granted or inquired into?—I presume it was inquired into: but in a country so thinly inhabited, the only evidence which could be brought forward would be the boor, the Hottentot servants and his family: it would be difficult to get accurate information. By the Caffre laws about stealing, ten for one are paid, and that is supposed to check stealing among themselves. It is much more easy to go and steal from a white man, where it is required to give back only one for one, than to steal from a Caffre, and to give back ten. I remember when a party near us were eating, a Caffre stole a fork: the man was discovered, and reported to the chief, and directly afterwards a Caffre brought back a calf, which the thief was obliged to pay for the attempt at the robbery.

3475. Mr. *Lushington.*] In all those attempts to obtain the restoration of cattle, are the actual thieves alone punished, or the kraals also?—We require them from the kraals to which the cattle are traced: I do not think we ever inquired after the individual.

3476. How do the Caffres themselves act upon those occasions?—I think they inquire after the individual. I remember a chief named Vorsani had been robbed (for even the chiefs are robbed) of a bullock, and he was following the man who had stolen it. I should think they look after individuals.

3477. Mr. *Gladstone.*] Do you think the authorities can inquire into the case of individuals?—No, I should think not.

3478. *Chairman.*] If a Caffre stole some of their own cattle, according to the Caffre regulations, he would have to restore tenfold?—Yes.

3479. Mr. *Gladstone.*] Would the Caffre law apply to cattle stolen from Europeans?—It did in the case of the fork, though there are probably few examples of it. Supposing a Caffre to steal from a white man, the white man has recourse to our law for indemnity. He does not go to the next Caffre chief, and endeavour to get repaid ten for one.

3480. *Chairman.*] According to the Caffre system of justice, if a Caffre stole 10 of our cattle, he ought to restore 100?—He ought.

3481. According to the principle upon which the Caffres proceed, if we stole a hundred thousand acres of their land, ought we not to restore a million?—Yes, on that principle; unless by our improvements we could make them produce more subsistence, and by that means allow the Caffres more subsistence out of the land than they had before been able to extract: but I would not wish to be understood to say, that in my opinion that would justify our taking their land. It might form a proper basis for a just purchase of it.

3482. Mr. *Gladstone.*] Are those principles of jurisprudence actually applied to cases between the Caffres and the Europeans?—No, except Europeans travelling among the Caffres; as, for instance, for the fork stolen, they made the man pay a calf.

3483. *Chairman.*] You are aware that at times we have taken possession of large

large portions of Caffre country?—Yes, from traditional history, and in the two instances I have named. *W. Gisborne, Esq.* 27 April 1836.

3484. Did you ever hear of any indemnification by the British to the Caffre?—No, I never heard that at all entered into.

3485. Have we ever given them education or instruction which might be considered equivalent?—To my knowledge nothing more than the missionary establishment.

3486. Mr. *Lushington.*] Did we take possession of their country merely from the aggression of the Caffre on our own premises?—I suppose the aggressions of the Caffres have always been named as the occasion of dispossessing them of it. I am not aware that any country has been taken from the Caffres, except following an aggression; that they have been driven from their land because they have been charged with some aggression on the neighbouring colonists.

3487. Mr. *Gladstone.*] Are you aware whether the Caffres have been deprived of their country under the former Dutch government, or since the British took possession of the colony?—The Dutch frontier was, I think, to the east of Algoa Bay, and I conceive it is since the English became possessed of the colony.

3488. *Chairman.*] Did the Dutch take possession of any Caffre country?—I think not: they occupied the Hottentot country, and destroyed them as a nation.

3489. The aggression on the Caffre country is wholly British?—I suppose so; I cannot speak decidedly on that point.

3490. Mr. *Lushington.*] But is it not an historical fact, that at the time we first took possession of the Cape of Good Hope from the Dutch, the Caffres had penetrated as far westward as Sunday River?—Yes, I believe they had, and occupied that country.

3491. On our assuming possession we were called on to redress the injuries they had sustained from the Dutch?—Yes, it was, I believe, a Dutch settlement, as having been gained by them from the Hottentots. The Caffres had taken possession of it after the Hottentots had become dependent on the Dutch.

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*Lunæ, 25° die Aprilis*, 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Andrew Johnstone. |
| Mr. Charles Lushington. | Mr. Hindley. |
| Mr. William Gladstone. | Mr. Bagshaw. |

MR. FOWELL BUXTON, IN THE CHAIR.

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Colonel *Thomas Francis Wade*, called in; and Examined:

3492. *Chairman.*] WILL you proceed to make those statements which you wish to lay before the Committee?—I was asked upon a former occasion whether the civil commissioner of Albany, in making inquiry into the circumstances of Zeko's death, had taken any evidence from the Hottentots or the Caffres. Since the Committee last met I have received a letter from Graham's Town, in which the civil commissioner informs me that he had that day, the 5th February, written to the commandant at King William's Town, requesting him to send to Graham's Town six or eight of Zeko's Caffres for the purpose of examining them; that he had endeavoured to ascertain if there were any other Hottentots besides the one that he had formerly examined, Boezak, whose deposition is before the Committee, who had been examined by Captain Stockenstrom; and he had not yet been able to find that there had been; and, if I recollect rightly, Captain Stockenstrom admitted that he had not examined any other but Boezak. Captain Campbell has, however, transmitted to me several depositions relating to this commando, which I will now read to the Committee, and also a statement made by the field cornet Erasmus himself. One of these depositions I conceive to be of considerable importance, because it is made by the commandant of the frontier, Colonel Somerset, as to the orders given by him (he being *Col. T. F. Wade.* 25 April 1836.

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the officer in command of that commando) in the presence of Captain Stockenstrom, and communicated by Captain Stockenstrom to the field cornet Erasmus, in his (Colonel Somerset's) presence.

3493. Are those depositions upon oath?—Yes; they were all taken in the same manner as the others. It may be as well that I should add, that immediately upon the evidence of Captain Stockenstrom being published in the newspaper in the colony, Captain Campbell, the civil commissioner of the district, and resident magistrate, whose peculiar duty it is to inquire into any case of outrage committed upon the aborigines by any of those in his district, instituted this inquiry, which took place in the resident magistrate's court, at Graham's Town; the whole of the depositions, with the exception of one, which was taken at the man's own house (he being unable to come to Graham's Town) have been taken in open court. This is the deposition of a Mantatee Caffre, who was after rider to one of the field cornets, taken on the 16th Jan. 1836.

3494. In the course of your evidence you have stated that Dr. Philip had an interview with Botman in 1830, and that what Dr. Philip then stated tended very much to produce dissatisfaction in the minds of the Caffres, and did actually produce such dissatisfaction?—Yes.

3495. Did any peculiar manifestation of that dissatisfaction take place soon after that interview?—A very decided one.

3496. Will you state what it was?—I have already stated it; in my evidence; "in the month of March 1830," I have said, that "The Caffres occupying the Chumie basin, those belonging to the sons of Gaika," that is the Caffres of Charley and Macomo, "sent away their families and their herds of cattle to a distance, they themselves remaining scattered over the country in large armed parties of 400 and 500 men each. They no longer permitted, as heretofore, and as was expressly stipulated for, small parties of the mounted Hottentot corps to proceed on the "spoor," but even ventured to attack and attempted to cut off patrols consisting of 30 men each, who were obliged to have recourse to their fire-arms to secure a retreat." It was this peculiarly excited state of things, together with depredations committed at that time, which caused that commando in 1830, the occurrences said to have taken place on which have been already detailed to the Committee.

3497. Were those Caffres who committed those depredations the people of Botman?—It is impossible to say; I should suppose they were the Caffres of Charley, Macomo, and all the rest; Botman, I must say, was at that time exceedingly discontented. It will be in the recollection of the Committee that Sir Lowry Cole, on his tour to the frontier, in September 1829, pointed out to each of the Caffre chiefs that part of the country that he should be permitted henceforth to occupy within the ceded territory. To Botman was assigned a certain portion between Fort Willshire and the Blockdrift; Botman was dissatisfied with that territory, and in the newspaper, edited by the son-in-law of Dr. Philip, who was his companion on that tour, a conversation is alluded to which took place between the parties who were visiting them and Botman. The newspaper is of the 3d of April 1830, I think, and the remarks contained in it I conceive corroborate what I have stated.

"Macomo, having lost his land, has recovered his character.

Botman has been removed to a situation which few will covet, and

Eno, whose fortunes have been similar, now resides in outward quiet, but broken-hearted, in the neighbourhood of Fort Willshire.

To these two *gentlemen* we had the honour of being introduced last Wednesday, and two more grave and sedate personages, when you get them to enter into serious conversation, or men who understand their own affairs better, their rights, and the relation in which they stand to the colony and their neighbours, we have never met with, either in office or out of it. With regard to this people as a nation, or as individuals, and their susceptibility of improvement and civilization, as it is called, we would say, without hesitation, that we know of nothing of which an Englishman is capable, of which they are not capable. They have the same powers of mind, the same passions, the same virtues, the same vices. Nothing is wanting but education to put them on a footing with the proudest people in Europe.

In their notions of justice, in friendship, in affection between relatives, in gratitude, and in resentment, they have nothing to learn from Europeans."—(*South African Com. Advertiser*, April 3d, 1830.)

"Poor Botman! Some years ago he was a noble looking fellow, round and heroic in his contour, loud in his laugh, and bold and active in his gait. Now his countenance is fallen,

his mouth seldom goes further than a quiet smile, his motion and voice are mournful and tremulous; he has been cooped up in a place where his cattle and people are starved, where no corn will grow. Being the stedfast friend of the colony, he has been made accountable for the faults of every rascal in his neighbourhood; he has been attacked and murdered by mistake; vials of wrath have not only been poured out, but broken upon his old grey head.

Eno, again, is an old man. * * Sorrow has seized every feature of his countenance, and bound up and sealed despair in his heart. He speaks of his sons that have been shot, when he and they were doing no wrong, and suspecting no danger, and of the miseries which government is now inflicting upon him in his old age.

In Tzatzoe you find a model of industry for your Albany farmers and Dutch boors.—"

(*Com. Adv.* April 7, 1830.)

"A correspondent informs us of some unlucky events on the Caffre frontier. They have many complaints, and speak with great emotion of the calumnies spread against them in the colonies. That they have rogues and vagabonds amongst them they readily admit; but they urge with much appearance of truth that such characters may be found on our side of the boundary; and that they have suffered to a much greater extent from the colonists than we ever pretend to have suffered from them. After passing the Keiskamma, you find among the independent chiefs and captains the same appearance of peace and tranquillity. We have met with none who were not aware of the superior strength of the colony, or who did not express a wish to continue on friendly terms with it. At the same time they are evidently disposed to question any interference of our government with their domestic affairs, and even to resist it if necessary."—(*Com. Adv.* 5 April 1830.)

These remarks were, I conceive, the result of the conferences of this party with the chiefs.

3498. Do you think that those expressions were calculated to produce that organization together of the Caffres, and those depredations, which you say were committed in 1830?—I do not say that those expressions in the newspaper were, but I say that the communication carried on by Doctor Philip, and stated by Lieutenant Robinson to have been held in his presence, was certainly, in my opinion, calculated to do so. It would appear that Doctor Philip pointed out to them that they had been improperly dispossessed of their country, and that they ought to appeal to the King of England to restore them, and I conceive that was calculated to excite the Caffres.

3499. Do you conceive that it was calculated to excite the Caffres to make war with the English to tell them that the right course was to make an appeal to the King of England?—I think that the Caffres understood from Doctor Philip's conversation that they had been unfairly dealt with, and that that excited them. I do not say that that would have driven them to a war, nor did it do so; it drove them to outrageous proceedings and depredations, but not actually to a war.

3500. Do you think there was anything morally wrong, or anything politically dangerous, in advising persons who felt grounds of discontent to make an appeal to the sovereign of the country, from which the oppression was supposed to have originated?—I think there was something exceedingly injudicious and improper in any missionary holding that language to persons situated as were the Caffres; and I think it was politically dangerous and wrong. I have not the most distant doubt that it did excite the Caffres; and that similar proceedings in 1832, on the part of Mr. Bruce, who visited the frontier in company with Doctor Philip (I am not aware whether Doctor Philip was present at Mr. Bruce's conferences with Macomo,) that those proceedings had a similar effect; and I have as little that the communications of Mr. Read in 1834 had the same effect. I shall presently produce the deposition of an English gentleman, who was travelling from the frontier to King William's Town during the late war, in which is related the conversation of a hostile Caffre, who was at a distance, upon a hill, with the interpreter of a party with which this gentleman was travelling, and who directly charges Mr. Read with having told them that the English were taking the whole of the land from them, and that if they did not stand up they would lose the whole of their country.

3501. Do you know what was the conversation which took place between Dr. Philip and Botman?—I have stated that all I know about that conversation is contained in the letters which I have placed upon the Minutes. I could not possibly know it, as I was not present, further than I know it from those letters.

3502. Will you state your conclusive reasons for believing that the dissatisfaction in 1830 originated in what Dr. Philip said to Botman?—In the same

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newspaper which I have just now mentioned, of the 3d of April I think, it was stated, (which was perfectly true, I know the fact as military secretary,) that the Caffres in the beginning of March were perfectly quiet; there were very few depredations. Dr. Philip and Mr. Fairburn went up there; they made this tour, and they made those speeches, and held those conferences with them, and very shortly afterwards the Caffres did assume a hostile appearance that they never had assumed before. The commandant stated that they never had attempted to withstand the patroles in the same way before.

3503. You have been present during the greater part of the time that evidence has been given by the various parties that have been summoned before this Committee; you have heard it stated almost universally that the system exercised by the British towards the Caffres did engender, and was calculated to engender, dissatisfaction with them. Now do you think really that the Caffres forgot the real oppressions to which they were subjected, that they were tranquil under those, but that they were excited and tumultuous because an individual seemed to sympathize with them?—I do believe that after Sir Lowry Cole's visit to the frontier in September 1829, up to the period of Dr. Philip's visit in 1830, the Caffres were perfectly contented. Sir Lowry Cole met the whole of the Caffre chiefs at that time, with the exception of Macomo and Gaika; the latter was ill, and Macomo was sulky and would not come. It was explained to the Caffres the system that would be then pursued towards them, and the portions of the ceded territory they were to be permitted to occupy were pointed out, and from that time to the month of March the Caffres were in a perfectly tranquil state, and therefore I have a right to suppose that they had forgotten whatever they might have supposed were former injuries.

3504. But those persons, who had forgotten the oppressions to which they considered themselves subject, were roused into tumult by Dr. Philip advising them to appeal to the King, and by his son-in-law writing a paragraph about Botman's looks?—I have not said that his writing the paragraph about Botman's looks had anything to do with exciting the Caffres. I have read that paragraph to show what his (the writer's) feelings were with regard to Botman and the others, "that he was cooped up in a narrow space of country too small for him." I have read that as a proof of what his feelings were, and I have mentioned it in corroboration of the language said to be held by Dr. Philip to the Caffres.

3505. You think also that the Caffres were quiet and contented in 1832, till Mr. Bruce's paragraph appeared in the newspapers?—I have not said that exactly: I have said formerly that they never recovered, and I do not think they ever did recover, the visit of 1830. They were in a disturbed state in 1831, and were again excited in 1832. I have mentioned only that one fact, because I do not wish to allude more in detail to 1831, as I was exceedingly unwell a great part of that year, and do not recollect the different circumstances that took place: nor have I a single official document to refer to with regard to anything that took place during 1832, with the exception of that one visit of Mr. Bruce's. That visit certainly did excite the Caffres exceedingly, and it excited the colonists not less. Mr. Bruce published in Mr. Fairburn's newspaper several statements, recapitulating all the old grievances of the Caffres, and stating also many things which, he said, he had been told by one of the missionaries, Mr. Chalmers, at the Chumie station. Those statements were exceedingly strong; so strong that many of the inhabitants of Albany came forward and petitioned Sir Lowry Cole to cause a public investigation to be made into the different accusations that were preferred. Sir Lowry Cole refused to do so, because he did not think that a man coming into the country, like Mr. Bruce, going up to the frontier, and galloping about there for three weeks, that his letters in the newspaper could have any possible bad effect, or injure the colonists: and moreover, Mr. Chalmers, the missionary, upon whose authority Mr. Bruce asserted he had made these statements, came forward and publicly denied them every one. Two other individuals that Mr. Bruce had alluded to, also came forward, and denied upon oath that they had made such statements to Mr. Bruce; and therefore Sir Lowry Cole did not think it necessary to cause any investigation. I must add, that in support of Mr. Bruce's statement there also came forward, nominally, a Caffre named Tzatzoe. Some letters appeared under his signature, in support of Mr. Bruce's assertions. Now I have a deposition here to prove that those

those letters were written, not by this Caffre, who can neither read nor write, (he can read print, but he cannot, I am informed, read writing), but that they were written by Mr. Brownlee, one of the missionaries of the London Missionary Society.

3505.* You have said that Dr. Philips's visit to Botman in 1830 operated in producing dissatisfaction in 1832, and your belief is, that its effect has never been yet got rid of?—I said that it operated to produce dissatisfaction in 1830, and that again the same feelings were excited in 1832; and that I do not think that the excitement on the part of the Caffres had subsided when Mr. Bruce and Dr. Philip visited the frontier in 1832.

3506. Do you think the effect had expired at the period of the recent outrages; do you think this visit of Dr. Philip's, and the expressions then made use of, had then escaped the Caffres' memory?—I do not: I firmly believe that the Caffres looked to Dr. Philip and to Mr. Reid particularly, as persons who had very great influence with the Government. The Caffres were, I conceive, decidedly impressed with the belief that everything that has been done for the Hottentots within the colony, has been done by Dr. Philip and Mr. Reid; and my impression is, that Dr. Philip and Mr. Reid's conversations and statements to the Caffres induced them to believe that they could obtain for them what they believed they had already obtained for the Hottentots.

3507. What was the length of time that Dr. Philip was with Botman?—I cannot state; I was not there, and I have given all the information that I possess upon that subject.

3508. Do you believe that that interview occupied more than a single day?—Yes; the interview that is referred to in that letter I have placed upon the minutes, did not, I believe, occupy more than a day; but the party dined with some of the Caffre chiefs (whether Botman was of the party or not I cannot say) at Wesleyville, a short time afterwards. According to Mr. Fairburn's statement in his newspaper, at a meeting at Westleyville, a complete discussion with the chiefs took place as to the right of Gaika to dispose of the ceded territory without their permission, and as to whether they had been wrongfully dispossessed of the country or not. I am speaking from Mr. Fairburn's own statement of the conversation that took place between the party with which he was and the Caffre chiefs.

3509. Do not you think that it manifests an extraordinary singularity in the minds of the Caffres that they should recollect a conversation which may have occupied one or two days, and that for seven years together, while they seem utterly to have forgotten, in two former instances, the severe oppressions and cruel usage which they themselves and their relations had received from the British?—I do not admit that they had received cruel usage, in the first place; and in the next place, I do not say that if they had, they had forgotten them. I say that they were tranquil after Sir Lowry Cole had made his arrangements with them, till the period of Dr. Philip's visit a few months afterwards.

3510. And you think that this advice that his (Botman's) case ought to be made known in England; that he ought to go himself to the King in Parliament; and that if they did not give him redress for himself and people, all that he had to do then would be to appeal to the British public, and they would see justice done him, was intentionally used by Dr. Philip for the purpose of exciting dissatisfaction?—I have never made use of the word "intentionally," or alluded to it in the slightest degree. I will now read the document relating to the conversation at Wesleyville, which has been re-published by Mr. Fairburn on the 6th January 1836, when arguing that the Caffres were unfairly dispossessed of the ceded territory.

As our assertion that what Captain Stockenstrom denominates a "so called treaty," with Gaika in 1819, "was a treacherous affair, and that the part of the country between the Fish River and the Keiskamma was only to be held for a time by the British, was slurred over," has been rudely assailed by Lieut.-Colonel Bird, we shall lay before our readers some of the evidence on which it was founded. Having been in Caffreland in 1830, we had opportunities of hearing, from various quarters, the sentiments and feelings of the best informed persons as to the relations of the chiefs with one another, and with the British Government; and on one occasion, having had the honour of dining with the chiefs Pato and Kama in Mr. Young's house at Wesleyville, we felt so much interested in the conversation which took place before dinner, that we committed it to paper on the spot. Almost every stranger who has visited Caffreland since 1819, and who appeared friendly and "not proud," will recollect that amongst the first subjects to which the chiefs turned the conversation was the neutral territory, and in this instance scarcely were we seated when Pato and

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and Kama both asked if they might speak on that subject. We replied that we would be happy to hear them on any subject. They then began to ask several questions, to which we could make no answers, except that we were very ignorant, and would, if they liked, write down what they said for our own satisfaction. Our notes, then, proceed as follows:

"Both these gentlemen are of opinion, that owing probably to some blunder of the interpreters, both the colonial government and the Caffres had been grossly deceived in the bargain supposed to have been made with Gaika, respecting the neutral territory. On this subject Kama spoke as follows: 'We wish now to speak of our lands beyond the Keiskamma. We have often inquired of the colonial government, and of Gaika, what we had done that our lands should have been taken from us. The governor (Somerset) said at Graham's Town the lands are not taken from you for ever; they will be restored. We thought they had been restored when we were permitted to occupy them: but we see they were only lent during what government may please to call our good behaviour.'

"Could Gaika cede or give away any part of Caffreland by his own authority?—*Pato.* No; if we had known that Gaika dared to give away any part of the country, we would have opposed and resisted him. We put the question to Lord Charles Somerset, whether the lands were given away? Gaika was present; Somerset said 'No, the lands have not been given away.' Gaika said he had no complaints against us; there was no cause for depriving us of our lands. Gaika has also said he has no complaints against our father Congo that could justify his being expelled from his country. On another occasion, when the Kleine captain was present, the governor said we might make a cattle-place of our old lands beyond the Keiskamma, so long as we behaved well; but if we did anything wrong they would be taken from us. We thought the lands had not been given away when the governor said so the first time; but from what he said of good behaviour on the other occasion, we infer that he had taken the lands, and thought they were his own.

"Why do you think the governor considers the lands his, while you are allowed to occupy them undisturbed?—*Pato.* Because we may not cultivate them.

"Who told you that?—*Kama.* It is not positively forbidden; but we have got permission to graze our cattle only. Some plant and sow at a venture, but they may lose their crops for anything we or they know.

"When did you return, or cross the Keiskamma with your cattle?—*Kama.* After the commando.

"From whom did you get permission?—*Pato.* We were sent for by the governor at Graham's Town, and after that we sent our cattle over the river.

"In speaking of Gaika's transactions with the colonial government, do you speak of your own lands only, or of the whole neutral territory?—*Pato* and *Kama.* Of the whole territory between the Keiskamma and the Fish River. No part of it could have been given away by Gaika alone from the Amakesa nation.

"[*Pato* then continued.]—I am happy to have had an opportunity of stating our case clearly, and I hope something may be done in it without delay. I wish to know whether these lands are ours. May we cultivate them with security? My days are passing away. I want a positive answer from the colonial government.

"In addition to what was said by these two chiefs, we may add that Gaika's councillors have often declared that they knew nothing of the alienation of the territory between the Keiskamma and the Fish River, and that Gaika to his dying day positively denied having ceded it. What the interpreters might say, or what governors, acting governors, or commandants might imagine, they heard him say in a language which they did not understand; or what Gaika himself might say when he was drunk, or when he was joking with ignorant strangers, traders, or smugglers, is another thing; but in his own kraal, and among his own people, when he spoke seriously and to those whom he respected, he said, "Hintza is the sovereign of the country; I acknowledge him as my superior; to him, if he thinks fit to demand it, I must give an account of such parts of my conduct as affects the general good. I am, properly speaking, merely stationed here on the frontier to protect Caffreland, and I am responsible to Hintza for any disorders that may take place. I never gave away any part of the country; I could not give it away."

3511. Were not the Caffres deeply sensible of the injuries to which they considered themselves to be exposed, prior to the interview in question with Dr. Philip?—It is impossible for me to say. I have no doubt that every head of cattle that ever was taken from the Caffres in the way of restitution or reprisal, and every acre of land from which they ever were removed, was looked upon by them as a hardship, the whole way from the Fish River.

3512. Then you admit that a desire for redress, and a sense of previous grievance, existed in the minds of the Caffres, whether right or wrong, before Dr. Philip's interview?—That a sense of grievance existed in their breasts I have no doubt; I have just said that I do not believe they ever lost an acre of land or a head of cattle, that they did not look upon as a grievance; but I do not admit that they were aggrieved, far from it.

3513. Do you think that the occupation of that large portion of territory that we took from them was or was not a grievance, namely, the whole of the territory which we have taken during the time in which you were cognizant

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of the affairs of the Cape?—We took no land from them during the time that I was cognizant of the affairs of the Cape. We have not taken an acre from them since 1819.

3514. Do you consider that the occupation by us of the territory belonging to them in 1819, which was of very considerable extent, and part of it very fertile land, was or was not a grievance?—That it was considered by them a grievance I have not the least doubt.

3515. Is it your opinion that it was a grievance to them or not?—Decidedly not. I conceive that Lord Charles Somerset had every right to do as he did in 1819, and that he was bound, as the governor of the colony, to do so.

3516. Lieutenant Robinson has stated, that Dr. Philip advised Botman to appeal to the justice of the King in England, and to the sympathy of the British people. Do you go further than Lieutenant Robinson, and say that he advised the Caffres to appeal to the sword?—I have never said anything like it; it is not to be inferred, I think, from anything I have said.

3517. Have you any reason to believe that Dr. Philip did not persuade the Caffres to abstain from all plunder and violence in the hope that some redress, or at least what would be considered a better policy, might be obtained for them by pacific means?—I have no reason to believe either the one way or the other. I have never alluded to any advice of that description of Dr. Philip's. If I am asked whether I conceive that Dr. Philip advised them to a contrary course, I do not for a moment believe that he ever did; I have stated distinctly to the Committee, that my impression is, that Dr. Philip's different conferences with the Caffres had certainly the effect of exciting them considerably; but I do not believe that Dr. Philip was so wicked as to call upon the Caffres to go to war, or anything of the kind.

3518. Do you believe that he laboured to induce them to think that a pacific policy was the best policy they could pursue?—That I cannot say. I do not know what the substance of Dr. Philip's recommendation was.

3519. You have said that it was morally wrong in a missionary to advise that party to appeal to the King of England, and if he failed in that, to the sympathy of the British people; do you think that a missionary is in any case justified in seeking himself, or advising the oppressed to seek, redress for those whom he considers to have been injured, and not likely to obtain any other remedy?—I think, with reference to the latter, that if ever a missionary does so, it ought to be done with the greatest caution, and I do not think that it was possible to do so with the Caffres without exciting them, and causing the consequences to which I have adverted. I do not think it would be possible to adopt any more injudicious course towards the Caffres than that which Dr. Philip adopted, or is said to have adopted, in 1830, and Mr. Reid in 1834.

3520. Mr. *Gladstone.*] You have said that you conceive there may be exceptions to the general rule of non-interference on the part of the missionaries; do you think it is the duty of a missionary in all cases to use all the means of instance and persuasion that he has at his command with his own Government, before he gives advice to uncivilized tribes which is capable of mis-interpretation?—Decidedly.

3521. Are you of opinion, that at the time that Dr. Philip gave to Botman the advice which has been alluded to, he was in a condition to make any progress with the colonial government by representations which he might forward to them?—I think that Botman had at that moment nothing whatever to complain of; Sir Lowry Cole, as I said before, had placed Botman on a certain portion of the ceded territory, and only a few months before the whole of the chiefs had declared their perfect agreement with the arrangements made by Sir Lowry Cole at that time. They had not preferred any complaints; they had upon the frontier the authorities, civil and military, through whom to prefer their complaints if they felt aggrieved, and I have no doubt both the Commissioner-general and the Commandant would have listened to any complaints they had to make, and would have referred those complaints to Sir Lowry Cole.

3522. Who was Commissioner-general at that time?—Captain Stockenstrom.

3523. You do not apprehend that he would have shown any want of readiness to redress the grievances either of Botman or of any other Caffre?—I do not think he would, but I am convinced that Captain Stockenstrom would not

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admit that there were any grievances at that time, because the arrangements which had been made, had been made at his own suggestion.

3524. *Chairman.*] Are you aware that Doctor Philip had made considerable efforts to obtain what he considered to be justice for the Caffres, and that he had also exerted himself to a very great extent to obtain what he considered to be justice for the Hottentots, which was embodied in the 50th Ordinance?—I am not aware of any efforts that were made by Doctor Philip before Sir Lowry Cole's arrival in the colony with regard to the Caffres. With regard to the Hottentots, I deny that Doctor Philip had anything whatever to say to the 50th Ordinance. The 50th Ordinance was produced by General Bourke himself. It underwent considerable discussion in the council, and was transmitted to this country when Dr. Philip was here, having been promulgated in the colony I believe within a month of the publication in this country of Dr. Philip's "Researches."

3525. Do not you conceive that Dr. Philip's previous representations to the governors there, and to the Government at home, through Mr. Buxton, had some tendency to occasion instructions being sent to the governor to assent to some such ordinance?—I do not believe that General Bourke ever received instructions to prepare such an ordinance as the 50th Ordinance, and I am firmly convinced, from what I know of General Bourke, that had he found the colony, as regarded the Hottentots, in 1826, in the state in which he did find it, and that up to that period one line had never been written, nor one voice raised, in favour of the Hottentots, I am, I say, thoroughly convinced that General Bourke would of his own accord have done precisely what he did.

3526. Do you happen to know that through the instrumentality of Dr. Philip an Order in Council confirming the 50th Ordinance, and precluding the governor there from rescinding the 50th Ordinance, was sent out?—Dr. Philip has stated that it was through his instrumentality. I have placed upon the evidence an extract from his petition, in which he states that, or something like it.

3527. Reverting to your former evidence: suppose it was the fact that a missionary had exhausted all the influence he possessed among the Caffres in endeavouring on the one hand to restrain them from all acts of murder and violence, while at the same time he had exhausted all his influence in the colony, and with Members of Parliament in England, in order to obtain what he considered justice for the Caffres, should you conceive that he was acting morally wrong?—The case is altogether hypothetical as regards my own knowledge. I conceive that a missionary, even under those circumstances, would not have been justified in holding any communication with the Caffres that was likely to excite them.

3528. You have already stated, at page 135 of the Evidence, that when you were on the frontier in 1834, you felt perfectly convinced that a crisis was fast approaching that would place Colonel Somerset in no ordinary difficulties, and the colony in the utmost danger. Are the Committee to understand by this that you anticipated any such crisis as has since occurred?—Certainly not; I did not conceive, in the first place, that the Caffres would have so well combined their measures as to have been able to make so desperate an attack upon the colony; I did not believe, although I knew that the Hottentots had been very greatly excited by the proceedings of Dr. Philip and Mr. Reid with regard to the vagrant-law, that at that period they were so much shaken as I now know they were. I felt that the colony was, as it were, thrown open to the Caffres by the system of extreme forbearance pursued. I felt confident that the Caffres would take advantage of that system; but I did not believe that a war such as took place within six weeks afterwards was likely to occur. I am now, however, firmly convinced that the Caffres were greatly induced to make the war by the dependence they placed upon the Hottentots joining them. In reply to a question upon a former occasion, I said that I conceived that the state of the Hottentot settlement was "connected with the Caffre war." I was afterwards asked whether I meant to say that the war was caused in some degree by discontent among the Hottentots. I replied that I had not said any such thing. But since I gave that reply, I am in possession of information which leads me to believe most decidedly that the excited state of the Hottentot settlement, and the way in which the Caffres counted upon it, did very much induce the latter to begin at the time they did.

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3529. This conversation between Dr. Philip and Botman, which took place in 1830, caused great dissatisfaction, then that dissatisfaction continued in 1832, and it further continued to 1835, when the war broke out?—It was re-excited in 1832, and it was again re-excited in 1834, and continued till the war broke out; and I must add that, notwithstanding the extracts which have been laid before this Committee from certain letters and despatches, I for one have no doubt that Dr. Philip was regularly employed by Sir Benjamin D'Urban, in 1834, to make communications to the Caffres, and that then the prospect of re-occupying a very considerable portion of the ceded territory was held out to the Caffres, and I do certainly believe that one of the principal causes of the outbreak of the Caffres, when it took place, was that "hope deferred;" they had been looking forward from month to month for the realization of the promises made to them on the part of the government.

3530. Then you think they were quite contented at various times, when they were enduring what they considered to be a great grievance, and that they were excited to war by a promise that that grievance should be redressed?—I have not said so.

3531. Have not you said that they were contented at one time, notwithstanding the endurance of what they considered to be a great grievance?—Yes, from September 1829 to April 1830.

3532. And have you not also said, that you believe that one of the causes of the war was, that a promise had been held out to them of reinstatement in their land, which promise had been returned home?—I did not say so; I said hope had been deferred: at what precise period Sir Benjamin D'Urban made the promises to the Caffres I am not aware; he states in his despatch of the 28th October 1834, that the communications were made to them in the middle of that year, and in the second despatch, 5th January 1835, that subsequently he employed Dr. Philip to communicate further upon the same subject, and to explain in detail the arrangements he was about to enter into; and that they were satisfactory. And I have said that one of the principle causes of the outbreak, I believed, was the constantly deferring the realization of those promises; and, if I mistake not very much, Macomo has since given that as one of the reasons for making the attack at the time they did.

3533. Mr. *Gladstone.*] Have you any personal knowledge which would enable you to throw light upon the question, whether, at the period you went on the frontier, Dr. Philip was employed by the government as a medium of communication with the Caffres?—I was at Graham's Town in October, and I was afterwards at the Kat River settlements at the latter end of that month, and the beginning of November, when Dr. Philip was there; the general impression on the frontier was, that Dr. Philip was so employed; Dr. Philip positively had communications with the Caffre chiefs at that time; one of the chiefs said to me himself that the land was to be given back to them, and I never had the slightest doubt that Dr. Philip had held conferences with the chiefs, and that they did count upon the restoration of the ceded territory. The subject was canvassed in the public newspapers at the time, and there was considerable feeling excited on the part of the inhabitants of the district of Albany with reference to the restoration to the Caffres of the ceded territory.

3534. Did the Caffre chief to whom you have alluded acquaint you that he had received a promise of the restoration of the land from Dr. Philip?—No; the Caffre chief I allude to, with whom I had the conversation that I have placed upon the evidence, was Macomo; he said "We are to have the land back again." The thing struck upon me particularly at the moment, from circumstances I had heard a few days before.

3535. He did not mention that he had derived that impression from Dr. Philip?—No.

3536. You have no personal knowledge as contradistinguished from the report you made of the general impression upon the frontier respecting the question, whether Dr. Philip was authorized by Sir Benjamin D'Urban to communicate, as from the government, to the Caffres?—No personal knowledge at all. My impression is from what I heard upon the frontier, and which is corroborated by Sir Benjamin D'Urban's despatches.

3537. *Chairman.*] Are you aware, that so reserved was Dr. Philip upon this subject, that though he was travelling with a gentleman, and that gentleman a missionary, he never communicated to him that he had any instructions from

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the government?—No; I was not travelling with the party; it is impossible for me to say.

3538. When did you become acquainted with this conversation between Dr. Philip and Botman?—Almost immediately after it took place.

3539. Did you represent it to the government?—Certainly I did. I have read the letter which I wrote in reply, to the commandant, by the governor's order, and it is upon the Minutes.

3540. Did you communicate to the governor in the year 1834, that you considered that a great crisis was approaching?—I did not; and I beg to explain why I did not. I have already stated that within a month after Sir Benjamin D'Urban's arrival Colonel Somerset made an application to him to bring back the Caffres to the ceded territory, and that I then went to Sir Benjamin D'Urban and explained to him the grounds upon which Sir Lowry Cole in the first instance, and myself afterwards, had removed the Caffres. I went fully into the subject, and pointed out to him our reasons for having done it, and what I conceived would be the consequences of their re-admission. Within a fortnight after that, and after Sir Benjamin D'Urban had had communication with the military and civil authorities upon the frontier, he displaced the Caffres; turned them out again; I had therefore every reason to feel satisfied that Sir Benjamin D'Urban saw that my representation was a correct one; he acted upon it after communication with the civil and military authorities upon the frontier. I have described the state of the frontier when I went up there; I found that notwithstanding Sir Benjamin D'Urban had turned out the Caffres, still that there was a system of forbearance carried on by his orders, which gave them ingress at any time they chose. Seeing this, I certainly did not feel it my duty to go to the governor when I arrived at Cape Town, and again urge my opinions upon him. I was also aware that both Colonel Somerset and Captain Campbell had strongly represented to the governor the necessity of a different system; and I must add that I was not on those terms with Sir Benjamin D'Urban that would have permitted of my going to him except in the most official manner. Before I went to the frontier I had stated to Sir Benjamin D'Urban that I should be most happy, while I was there, to be employed in any way that he thought was for the benefit of the service, or to make any report to him, and he declined my offer. At the same time, I must say, that had I not been fully impressed with the conviction that most ample representations upon the subject had been made by the proper officers to Sir Benjamin D'Urban, and had not been attended to, I should have deemed it my duty to have gone to him when I came down to Cape Town; and further, I must say that if there had been a meeting of the executive council after my return to Cape Town, (I was there but a very short time, when I was obliged, by ill-health, to embark for this country,) it was my full intention to have brought the subject of the frontier forward in that executive council, if an opportunity offered.

3541. Did you, as second in command, feel yourself at liberty, when you saw a crisis approaching which was to put the colony, according to your own words, in the utmost danger, to abstain from communicating that very important fact to the government?—I have already stated that I should have done so if I had not been perfectly aware that the strongest representations had been made both by Colonel Somerset and by Captain Campbell of the state of the frontier, and the necessity of a different system being adopted. I felt perfectly convinced from all my communications with Sir Benjamin D'Urban, and from what I knew was his opinion of me, that if their representations were unattended to, mine would be totally unavailing.

3542. Colonel Smith is reported to have addressed Macomo recently in these words: "Macomo, I have admired your character as a soldier in the bush. You have been a bold and determined enemy, and I have every confidence in the sincerity of your expressions of attachment to my King and Governor." Colonel Cox has been asked whether he concurs in that sentiment, and he says that he does. Do you concur in it?—I certainly do not. Personal knowledge of the Caffre chiefs I have had none, except for a moment, upon the frontier; but from the whole of the knowledge I have derived from carrying on the military correspondence between four and five years with regard to the Caffres, I certainly would not place reliance upon any one chief among them. Those of Pato's tribe I should be more inclined to rely upon than any of the others. On this point I beg to add an extract from a letter of one of the missionaries, Mr. Chalmers,

Chalmers, who has resided constantly amongst those very Caffres of Charley and Macomo, and knows them well: "So far (says Mr. Chalmers) from saying with Messrs. Brownlee and Reid, that I consider the chiefs Tyalie, Botman, and Macomo were honest men, I stated that they were generally found to conceal when they could; nor am I their enemy because I say so, I know it is truth."

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25 April 1836.

3543. Mr. *A. Johnstone.*] Are you now prepared to give in certain depositions of a tenor similar to those which you gave in upon a similar occasion?—I am.

[*The same were delivered in and read, as follows:*]

16 January 1836.

7. Maart, servant of Piet Delport, residing at Caffres Kloof, field-cornetcy of Koenap, district of Albany, duly sworn, deposes:—I belong to the tribe called Amapotas, whose language, mode of fighting, and other customs, are the same as those of the Caffres. I came to the colony about 10 years ago, and understand the Dutch language as well as my own language. I was in the service of David Petrus de Lange at the time he went with a commando, under field-cornet Erasmus, to Zeko's kraal, about five or six years ago. I attended De Lange as his after-rider. The commando took all the cattle that could be found near the kraal, and after returning the milch cows to the Caffres, proceeded with the remainder of the cattle towards Fort Willshire. We went as far as from here to the first outspan place on the Somerset road, about six miles. I then saw three or four Caffres armed with assagays, coming towards the cattle; they came up to Wynand Bezuydenhout, who speaks the Caffre language, and asked him for some of the cattle; he went with them to field-cornet Erasmus. We proceeded a little further, when I perceived that the number of armed Caffres had greatly increased. I cannot say what number of Caffres there were; I believe there were hundreds of them. I heard one of the Caffres call out to the others, what is the use of your assagays; what sort of men are you; don't you see the cattle are on the move? On hearing which I immediately interpreted it to De Lange, and said to him, there will be bloodshed to day; they will attack us when we are in the bush. We were then entering a wooded pass, and I saw that the Caffres were preparing to attack us. They were rolling their karosses round their left arms, which they always do when they are going to fight, and holding their assagays ready for action in the left hand; in the right hand each held a long stick, which they use to drive cattle. Almost immediately afterwards I heard the Caffres whoop, which was repeated from one to the other; this was succeeded by a shrill twittering whistle from the whole mass, who immediately rushed among the cattle, dispersing and driving them in every direction. The cattle being maddened by this peculiar noise, which I have just described, ran amongst us, mixed us all altogether, and threw us all into confusion. Some of the Caffres, in separate parties, drove off small portions of the cattle in different directions, and while we were in this state of disorder, I heard the cry amongst the farmers, "The Caffres are throwing assagays." Some of De Lange's men then fired, and if they had not done so, we should all have been murdered. After this I saw the Caffres running away; they had then each an assagay in the right hand, the stick being shifted to the left hand. I do not know whether any person was killed by the firing; the herd of cattle was very large, and covered a great space of ground; people might have been killed without my seeing it. I heard at the time that the Caffre chief Zeko was killed. I did not know Zeko, and cannot say whether he or any of his people followed us from his kraal unarmed. As soon as the attack was repelled, the commando collected the cattle together again, and proceeded to Fort Willshire, great numbers of Caffres following us until we reached that place. I cannot tell where Field-cornet Erasmus was when the Caffres attacked us; it was impossible to tell where he was, or to see far, on account of the wood and the confusion we were in. No shot was fired before the rush was made upon the cattle; the Caffres were making off with the cattle when the firing took place. Some time before stating to my master that I thought the Caffres would attack us, I heard one of the Caffres call to the others to turn the cattle when they got into the bush, and use their assagays if they could. I then thought they would attack us, and I would have told my master what I heard, but he was at some distance from me, and I did not express my opinion to him until I saw the Caffres rolling their karosses round their left arms, which was shortly before the attack was actually made.

It would have been impossible for the burghers to have kept possession of the cattle without firing upon the Caffres. I do not know what orders Erasmus gave to his people before he came to Zeko's kraal. I was not one of the armed party. My business was to take care of my master's horses, and to carry his gun when he was not using it. On that day my master carried the gun himself, as the horse which I led was restive, and I could not carry it.

I do not know Captain Stockenstrom. I never was examined by any one respecting what took place on the commando in question. I may have mentioned the circumstances to some of my companions, but to no one else. I was ordered to appear here by Johannes de Lange; he refused to tell me for what I was wanted, nor did I know until I appeared before this court. I left De Lange's service some years ago, since which time I have had no connection whatever with him, or any other person who was on the commando at Zeko's kraal. I do not know the names of any of the Hottentot after-riders who accompanied the commando. I cannot tell whether there were any colonial cattle amongst those taken from

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Zeko's kraal. The cattle taken were brought to Graham's Town. I do not know what became of them afterwards; I got none of them.

his
(signed) *Maart,* × mark.

Witnesses: *D. Campbell,* Res. Mag. Alby.
(signed) *J. H. B. Wienand,*
*George Cyrus,*
Interpreter.

At Graham's town, upon the 26th day of January 1836, before Duncan Campbell, Esq., resident magistrate for Albany, and Edward Norton, Esq., Justice of the Peace for the same district, appeared

8. Marthienus Johannes Bekker, residing at Botha's kraal, field-cornetcy of Fish River, district of Albany, agriculturist, duly sworn, deposes:—I was on commando under the Field-cornet Erasmus in June 1830; I was present at Fort Willshire when Erasmus received instructions from the commissioner-general to proceed to the kraal of the Caffre chief Zeko; that he was to take the cattle, and if the Caffres drew an assagay, that he was to fire upon them. We arrived at Zeko's kraal the following morning; the cattle were out of the kraal; we took as many cattle as we could find in the vicinity of the kraal; the milch cows were returned to the Caffres. We then proceeded on our road to Fort Willshire, accompanied by several Caffres from Zeko's kraal, without assagays: there were about 2,000 head of cattle. When passing through a part of the country covered with thorn trees, about an hour after we had left Zeko's kraal, I suddenly heard the shrill whistle of the Caffres, accompanied by shouts, and immediately succeeded by a number of Caffres rushing amongst the cattle, and turned the foremost upon the others, producing confusion, the Caffres carrying off detached portions of the cattle in different directions. I then heard some shots fired: the Caffres who made this attack were armed with assagays; each Caffre had a bundle of assagays. I cannot say how many Caffres were engaged in this attack; the attack was so sudden, and the country so covered with thorn trees, that I can form no estimate of the number of Caffres who made it. I did not fire, nor any of the people near me; the firing to which I have alluded was about a quarter of a mile from me. I and the people near me galloped after some portions of the cattle that were carried off, which we recovered, and brought back to the herd. I do not know whether all the cattle taken by the Caffres were recovered or not, from the nature of the country and the extent of the herd. We then collected the cattle together, and took them to Fort Willshire, where we arrived the same evening. At Fort Willshire some of the cattle were given up to Tyalie, and the remainder was brought to Graham's Town, where they were distributed; I received none of them. When the firing took place, Erasmus was in the rear of the party.

From the time we left the kraal until the attack was made, Caffres were constantly joining the commando; but I did not notice whether they were armed or not at the time of their joining: when the attack was made, all the Caffres that I saw were armed with assagays.

(signed) *M. J. Bekker.*
*D. Campbell,* Res. Mag.
*Edw. Norton,* J. P.

9. Andries Lodervicus Pretorius, residing at Vaal Krans, situate in the Koenap, in the district of Albany, field-cornetcy of Koenap, agriculturist, duly sworn, deposes:—I was on the commando under Field-cornet Erasmus, at Zeko's kraal, in the month of June 1830. We collected all the cattle we found near Zeko's kraal, and, after returning the milch cows to the Caffres, we proceeded on our return to Fort Willshire. A considerable number of Caffres, armed with assagays, and some unarmed, accompanied the commando at a distance of nearly half a mile. Some of these Caffres were in the rear, and some on each side of us; to the best of my judgment there were at least 300 of these men. After proceeding for about an hour on horseback, we were passing a neck of land covered with thorn trees, when I heard the Caffres give a shrill whistle, followed by shouts, and they immediately rushed amongst the cattle, which they turned, and separated portions of them, which they were driving away. I then heard several shots fired behind me; I rode back to see what was the matter, and there I saw cattle, boors and Caffres mixed together in confusion; there were four or five Caffres lying upon the ground, who had been shot, several bundles of assagays lying near them, as well as single assagays, that had been separated from the bundle, lying close to their right hand. All the Caffres that I saw lying dead had assagays lying near them. I did not know Zeko; I cannot say whether he was one of the men that was shot; I do not know where Field-cornet Erasmus was at the time. We then collected the cattle, and proceeded on our journey to Fort Willshire: the Caffres continued to hover near us until we reached that place; we saw them upon the heights as we proceeded until near dusk, at which time we arrived at Fort Willshire. On the third day after our arrival, Captain Stockenstrom came to Fort Willshire, and gave some of the cattle to the chief Tyalie, and the remainder was taken to Graham's Town and distributed; I did not receive any of them.

The following day, after we had brought the cattle to Fort Willshire, Captain Stockenstrom

strom asked Erasmus who it was that was shot, whether it was Zeko or Geneko; and upon Erasmus answering that it was Zeko, Captain Stockenstrom answered, "That is just the man I would have had."

(signed) *J. L. Pretorius,*
*D. Campbell,* Res. Mag.
*Edw. Norton,* J. P.

Boesack Tamboer, before described, duly sworn, deposes:—I cannot tell how long it was after the commando that I was examined by Captain Stockenstrom; I have said a month; it may have been two or three months; I cannot state it positively. After I had stated to Captain Stockenstrom the particulars, as I have done here, he asked me if Erasmus had not put me up to that story; and on my saying that he had not, and that he did not know for what purpose I was sent for, Captain Stockenstrom said that he would drag the truth out of my throat with a riem-chain. He did not ask me many questions. On my assuring him that I was telling the truth, he gave me a glass of brandy, and sent me home, telling me not to be afraid, as no farther notice would be taken of it. I am quite certain that I told Captain Stockenstrom the same story that I told here; what I said was written down at the moment by his secretary, and can be seen. I left Erasmus's service two years after the commando; I went into the service of an Englishman, named Marshall, and after leaving him, I went to Willem Durand, with whom I have stayed ever since; neither Marshall or Durand was on the commando at Zeko's kraal. I have never been examined by any one since I was examined by Captain Stockenstrom, until I appeared before this Court; nor have I conversed with any one about it since that period.

(signed) *Boesack Tamboer,* his × mark
*D. Campbell,* Res. Mag.
*Edw. Norton,* J. P.

Witnesses,
(signed) *J. H. B. Wienand,*
*John Carlisle.*

At Graham's Town, upon the 27th day of January 1836, before Duncan Campbell, Esq., Resident Magistrate for the district of Albany, and Edward Norton, Esq., and Alexander Boswell Armstrong, Esq., Justices of the Peace for the same district, appeared

10. Willem Jacobus Botha, residing at Quarra, on the Koenap, field-cornetcy of Koenap, district of Albany, duly sworn, deposes:—I was on the commando at Zeko's kraal, under the command of Field-cornet Erasmus, in June 1830; the commando assembled at Fort Willshire. Before we reached Zeko's kraal, Field-cornet Erasmus ordered the burghers not to fire upon the Caffres unless the Caffres threatened to throw assagays at them. On coming to Zeko's kraal we collected the cattle together, and took possession of them. Erasmus gave back the milch cows to the Caffres; he gave them a great many, but I do not know if he gave them all. After this, we proceeded with the rest of the cattle towards Fort Willshire; we were accompanied by a party of unarmed Caffres; I saw 16 or 18; there may have been more; I did not know Zeko; I was nearly in front of the whole party. After we proceeded about an hour's ride from Zeko's kraals, a number of armed Caffres approached us from different directions, four or five at a time; I saw these Caffres distribute some assagays amongst the unarmed Caffres, and immediately I heard the Caffres' whistle and scream, in the way they drive cattle, by which they drove the cattle furiously upon the boors, and scattered them. I endeavoured to keep the cattle together, but I was so mixed with them that I could not use my gun; just at this time, while the cattle were rushing in this way, I heard shots fired, and I afterwards saw three Caffres lying dead, each with a bundle of assagays beside him. I do not know who fired, but it was close to me; I don't know the exact distance; I had enough to do to take care of myself; the Caffres succeeded in carrying off several portions of the cattle to some distance; we retook with difficulty the portion of cattle after which I went; I cannot say whether all the other portions were recovered or not; it is my opinion, that if the burghers had not fired upon the Caffres, the whole of the cattle would have been carried off by the latter; I considered that I was in danger of being killed by the Caffres, as well as being trampled on by the cattle, from the furious manner in which the Caffres drove them. It is usual for Caffres, when they attack a party for the purpose of taking cattle from them, first to throw the party into confusion by driving the cattle furiously upon them; the Caffres attacked us in a bushy part of the country, and I cannot tell how many there were of them; after the attack was repelled, we proceeded with the cattle to Fort Willshire.

From the bushy nature of the country, and the inequality of the ground, I could not see any distance, and therefore I cannot state what number of cattle the Caffres took away, or how many Caffres there were engaged. I do not know where Erasmus was. I heard no orders given to fire. I would have fired myself, in my own defence, without any orders, if I had been able to extricate myself from the rush of the cattle. The attack was so sudden and the confusion was such as to render it impossible to ask for orders, or to get to the field cornets. The cattle we were driving formed a line about half a mile long.

The cattle we took from Zeko's kraal were sent to Graham's Town and distributed amongst the farmers from whom the Caffres had stolen cattle during the preceding year. I got none of them. I saw some colonial cattle amongst those we took from Zeko's kraal.

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I particularly remarked a cow which belonged to my brother-in-law Nicholas Barnard, which had been stolen seven days before. I never was examined until to-day about the commando at Zeko's kraal.

(signed) *Willem J. Botha.*
*D. Campbell,* Res. Mag.
*Edward Norton,* J. P.
*A. B. Armstrong,* J. P.

11. Henry Somerset, Lieutenant-Colonel, Commandant of Caffraria, residing at Oatlands, near Graham's Town, duly sworn, deposes:—I was commandant of the frontier in June 1830. I remember having sent a commando, in that month, to the kraals of Zeko, Gemeko, and other Caffre chiefs, for the purpose of seizing their cattle. The officers commanding divisions of this commando were ordered to seize all the cattle of Zeko, Gebeco, Vassie, and Magogo, and to bring them to Fort Willshire, where it was intended to select the colonial cattle from the Caffre cattle. It was intended to return a portion of the latter, keeping an equivalent for the cattle that were stolen by the Caffres. The cattle taken by the divisions were brought to Fort Willshire, and I delivered them over to the commissioner-general who was there. The colonial cattle were to be separated from the Caffre cattle at Fort Willshire, as it would have been impossible to separate them at the Caffre kraal without confusion and bloodshed. After I had decided upon these orders, I requested Captain Stockenstrom to explain them to the burgher force, which he did, and repeated them several times in the Dutch language to Field-cornet Erasmus, in my presence; there was no difference in the orders given, each officer commanding a division received precisely the same orders. The field cornets were directed to explain them to the Caffre chiefs. The commando marched upon the evening of the 17th of June 1830, and my orders were carried into effect on the morning of the 18th. The day afterwards (viz. the 19th,) Erasmus joined me on the Tamaga, and reported to me the circumstance that occurred after he had taken the cattle from Zeko's kraal and was conducting them to Fort Willshire, which I reported to government. I produce extracts from my letter to the military secretary, under date the 24th June 1830.

(Extracts.)—"A division of the mounted burghers, under the provisional field-commandant Erasmus, crossed the Keiskamma River, above Fort Willshire, on the evening of the 17th. This division came upon the kraals of Sobeeka and Zeko at day-light on the morning of the 18th. The Commandant Erasmus informed me that, previous to taking off the cattle, (amongst which he found numbers of colonial cattle, some of which had been stolen but a few days,) he spoke to the chief Zeko, and informed him that the Caffre cattle would be returned after the colonial cattle had been selected, but that he must first seize the whole of the cattle and drive them to Fort Willshire. Zeko begged to have his milch cows, which was granted. The Caffres remained passive until the division approached the wooded country, when they made a general rush, and, getting in amongst the cattle, commenced discharging their assagays. The field commandant, finding the matter becoming serious, and that the Caffres were succeeding in getting away the cattle, opened a fire upon the Caffres, the result of which was, that Zeko and several Caffres were shot."

"I have reason to be satisfied with the activity and exertion of the Field-commandant Erasmus." "The cattle were placed at the disposal of the commissioner-general." "The commissioner-general informed me that he had directed Charlie to move out of Macassana with his people immediately, which I presume he will do."—(signed) *H. Somerset,* Lieut.-Col. Commandant."

On the 22d I returned to Fort Willshire, accompanied by the commissioner-general, where I found the Caffre chief Tyalie and his brothers, who were clamorous about some cattle taken from Zeko's kraal, which he (Tyalie) laid claim to, and also about Zeko being shot. Tyalie was allowed to select the cattle which he claimed as his own, but finding that he was taking the colonial cattle, and all the superior cattle out of the herd, I brought the circumstance to the notice of the commissioner-general, and Tyalie and his people were directed to abstain from selecting any more until we had examined into the circumstances which attended their seizure. An investigation was accordingly instituted by the commissioner-general and myself, but more especially by the former, in the presence of the Caffre chiefs Eno, Tyalie, and his brothers. Various individuals amongst the boors, as well as the Caffres which Tyalie could bring forward on the occasion, were examined, and both the commissioner-general and myself expressed our opinion that the field-cornet was fully justified in firing upon Zeko and his people under the circumstances that had occurred. I had many interviews with Tyalie previous to my departure for England in 1832, and he did not, at any time during the many interviews I had with him, make any allusion to this affair; on the contrary, he expressed himself fully satisfied with all my conduct towards him up to that period. The Caffres who were brought forward by Tyalie during the investigation were stated to be Zeko's people, who had followed the cattle purposely to Fort Willshire to complain of the conduct of the boors, and that they were present at the time.

As stated in my official report to Government of the 17th of June 1830, the removal of Tyalie was postponed in order to see whether he would perform certain proposals which he had made, but the investigation respecting the death of Zeko having taken place, the commissioner-general ordered Tyalie to leave the Macassana; and all the cattle taken from Zeko's kraal, except those identified by Tyalie, to be sent to Graham's Town.

I have

I have known Field-cornet Erasmus for many years, during which time he has often been employed as a commandant under me; I always considered him as a humane man, and discreet in his intercourse with the Caffre people. Col. *T. F. Wade.*

25 April 1836.

(signed) *H. Somerset,*
Lieut.-Colonel Commandant of Caffraria.

(signed) *D. Campbell,*
Resident Magistrate.

At Braah Matches, Gord Fontein, in the district of Albany, on this 30th day of January 1836, before Duncan Campbell, Esq., Resident Magistrate for the district of Albany, and Edward Norton, Esq., Justice of the Peace for the same district, appeared:—

12. John Philip Koch, who being duly sworn, deposes:—I reside at Braah Matches, Gord Fontein, in the field-cornetcy of Fish River, in the district of Albany. I was one of the commando who went in June 1830 to Zeko's kraal, under the orders of Field-cornet Erasmus. The commando assembled at Fort Willshire; I do not know what orders Erasmus received from Captain Stockenstrom. I do not know that he received any orders from him; but while at Fort Willshire, I saw Captain Stockenstrom standing on a raised stoop (or terrace) before the quarters of the military officers, and I heard him say to Erasmus and Provisional Field-cornet David de Lange, who were standing near him, "Now remember you are not to fire on the Caffres if they do not draw their assagays with the intention of throwing them, but if they do draw them, then shoot them dead; if one Caffre draws his assagay, don't spare them."

The commando proceeded to the kraals of Zeko, which we reached early in the morning. I do not remember the precise date, but I know it was in the month of June 1830. Previous to reaching the kraal the Field-cornet Erasmus told his people that they were not to fire on the Caffres, unless they threw assagays; he first stated this to the subordinate officers, that is, the provisional field-cornets and corporals. He afterwards made the commando assemble around him; he addressed them in an earnest and urgent manner to abstain from firing, unless their lives were in danger from the Caffres, but if the Caffres drew their assagays, they were to fire upon them; this he stated to be the orders of Captain Stockenstrom to him (the field-cornet). When we reached the place where Zeko resided, we collected all the cattle we could find; the greater part of those we took were outside the kraals. I saw colonial cattle among them. I identified seven of my own, two oxen and five cows, they were branded with my brand-mark on the right thigh; they were stolen from me, with eight other cattle, two years previously. The herd was very large; I cannot state accurately their number. I believe there were between two and three thousand head; before leaving eko's kraals I saw some cattle being separated from the herd, and asking the cause of it, I was told they were milch cows, with small calves, which the Field-cornet Erasmus was returning to the Caffres. We then proceeded with the cattle towards Fort Willshire; about 20 unarmed Caffres followed us; I knew Zeko; he was not among those who followed us unarmed. As we proceeded on our journey, other Caffres by twos and threes, armed with assagays, kept joining us, and at length so many had joined, that Erasmus ordered them to return to their kraals; a few young lads did so, but the adults remained and paid no attention to the orders of the field-cornet; their numbers continuing to increase, the field-cornet requested me and some others to endeavour to discover from what direction these men were coming, for the country was so bushy that we did not observe them until we found them mixed among the cattle. In consequence of this order from Erasmus I paid some attention to the motions of the Caffres, and I observed that as we proceeded, numbers of Caffres kept joining us from the bushes, and were distributing a portion of their assagays to those of their countrymen who had joined us unarmed; I mentioned this to the field-cornet, and he said he would drive them away. Shortly afterwards the Caffres gave a loud shrill whistle, which is made by blowing through a small bone, and the cattle rushed furiously back upon the farmers, and a number of Caffres then became mixed with the cattle. I was at this time with Geet Scheepers and John Greyling, the former called to me and said a Caffre was going to throw his assagay at me; I looked round and saw a Caffre in the act of throwing an assagay at me; I had no time to dismount, but fired my gun at random. The Caffre ran away and was not injured; his assagay fell a few feet in front of my horse. Geet Scheepers dismounted and picked it up. Several other Caffres at this time had drawn their assagays and several shots were fired by the farmers, by which some of the former were killed, all of whom had assagays lying by their side on the ground when I saw them. I was about 100 yards from the place where the Caffres were killed. At the time the firing took place, shortly after the firing to which I have alluded, Zeko came up to John Greyling, with whom he (Zeko) was well acquainted, and addressing Greyling by his Christian name, said, "John, you will not pass the Keiskamma to-night with any cattle; if you do, the river will run with the blood of the boors instead of water." Greyling replied "Never mind, we will pass the Keiskamma to night for all that." Zeko had a bundle of assagays in the left-hand and one in the right, and on Greyling making the reply I have stated, Zeko made a peculiar spring, which is usual with Caffres when about to throw an assagay, brandishing his assagay at the same time as if he intended to throw it. Greyling, without being in the least intimidated, said "Zeko, you must not throw at me; I will have nothing to do with you;" and immediately rode off at a quick pace in another direction, followed by Zeko at a running pace. I lost sight of them there, and shortly afterwards I heard a shot fired in the

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direction in which they went. I did not see Zeko afterwards. I have heard that he was shot. Zeko spoke in broken Dutch, and what he said was quite intelligible to us.

As soon as we could collect the cattle which the Caffres had dispersed, we proceeded on our journey to Fort Willshire, the Caffres following us all the way. At Fort Willshire a considerable number of cattle were given up to Tyalie, and the remainder were taken to Graham's Town and distributed. I received the seven head which I identified as my own property at Graham's Town; I got no others.

(signed) *J. P. Koch,*
*D. Campbell,* Resident Mag.
*E. Norton,* Justice of the Peace.

A true copy from the original examination, filed among the Records of the Court of the Resident Magistrate for the district of Albany.—Dated this 5th February 1826.

(signed) *D. Campbell,* Resident Magistrate for Albany.

*Colonel Wade.*] There is also in addition to these, not a deposition, but a statement of Field-cornet Erasmus himself, which, with the permission of the Committee, I will also put in.

[*The same was delivered in and read, as follows*:]

STATEMENT of the Field-cornet *Erasmus.*

The patient manner in which the laborious and minute investigation relative to the death of the Caffre chief Zeko has been conducted, the very satisfactory nature of the evidence which has been elicited, and the overwhelming testimony which that evidence contains, renders almost unnecessary any observations upon the charges made by Captain Stockenstrom against myself and the burghers who were present on that occasion; but as the charges have been brought in so very direct and public a manner, and as they have become the subject of public investigation, I consider it my duty to offer the following statement in answer to the false and unfounded charges made by the commissioner-general.

Before entering into an examination of the statement made by Captain Stockenstrom, or of the evidence upon which he considered himself warranted in making so very heavy a charge against myself and the respectable body of burghers which I had the honour to command, I shall beg leave to detail the circumstances relating to the commando of June 1830, and to the death of the Caffre chief Zeko.

In the early part of the month of June, according to directions which I received from the commissioner-general, I proceeded to Fort Willshire with the burghers under my command, and placed myself under the orders of Colonel Somerset. The troops and burgher force which were assembled at that place were placed under the command of different officers; and one division, consisting of about 60 mounted burghers, was put under my orders. The object of the commando was to seize the whole of the cattle belonging to several kraals, the people belonging to which had been actively engaged for some time in committing depredations within the colonial boundary; and the orders which I received were, that I was to march with my division towards the kraals of the chief Zeko and Sebecco, in such a manner as to take them by surprise, if possible; I was then to seize all the cattle I should find, and drive them off with as little delay as possible to Fort Willshire. I received these orders from Captain Stockenstrom, in the presence of Colonel Somerset, the commandant of Caffraria, and whose orders I understood them to be; they were communicated to me in Dutch, therefore I could not misunderstand them, and I was distinctly ordered to seize all the cattle which I might find in those kraals, and in the event of any resistance being offered, or, in the words of my orders, "if the Caffres drew an assagay," I was to fire upon them. After receiving these orders I marched to the kraal of Zeko, and succeeded in taking possession of all the cattle belonging to the kraal. That chief sent to me to ask for the milch cows, which I declined to give up; he sent again, saying that if I took the milch cows the calves would starve, upon which I sent him word, that although I had no orders to that effect I would let him have them, and told him to let his people drive them out; he then sent his people and they took away as many cows as they pleased, without any obstruction. I asked where the chief Zeko was, and he was pointed out to me, and I went up to him, accompanied by Johannes de Lange and the interpreter. I explained to him that I was acting in obedience to the orders which I had received, which were, to take the cattle and drive them to Fort Willshire, where the colonial cattle would be separated, and those belonging to the Caffres given back, provided they made no resistance, and that any Caffres who wished might accompany me unarmed, to speak to the commandant and the commissioner-general, and to bring back such cattle as they might be pleased to give up. I also particularly desired him to notice that I had come quietly and civilly, and that I should proceed in the further execution of my orders without using any violence, unless they offered resistance, and in that case I should be obliged to do my duty by force. I then proceeded with my division and the rest of the cattle towards Fort Willshire; we were accompanied by several Caffres, (but I did not see Zeko amongst them) who were unarmed, and who told us they would show us the nearest way and help to drive the cattle. We proceeded on our route rather more than an hour without any thing occurring, and came towards a part of the country covered with bushes and thorns, when some of the people told me that several armed Caffres were hovering about us, and that their number appeared to be increasing, and

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and that they had been seen giving assagays to the unarmed Caffres who were accompanying us. I told my people to look well about them, but on no account to commence hostilities; I was at this time riding behind nearly the whole of the division, my agterryder Boesac was behind me. We then came to a neck of land which was covered with bushes and thorns, which in many places were so thick that we could only see for a few yards round us. The cattle, in number about 2,500, were scattered over a large space, and the burghers were necessarily also scattered in endeavouring to keep them together, and to preserve the line of march as much as possible. On a sudden I heard the Caffre warwhoop, and the loud whistling and cries with which the Caffres hurry on cattle, and simultaneously the cattle turned and rushed violently back upon us. The confusion which ensued is indescribable; the Caffres yelling, the burghers shouting, the cattle rushing on in one wild troop, goaded to madness by the assagays and yells of the Caffres, bearing along with them many of the burghers, who were irresistibly driven back as if by a torrent, and the whole enveloped in thick clouds of dust, formed a scene of confusion and disorder that for a few moments defied all control. I endeavoured, in vain, to turn the cattle; but so completely had the Caffres obtained the mastery of them that it was impossible, and I turned my horse behind a small bush in order to avoid being trampled down by them. At this moment several shots were fired; and immediately the cattle had passed I rode in the direction of the firing. I saw several of the burghers, who were coming towards me, some of them had assagays, and they told me that the Caffres had drove the cattle upon them, and thrown assagays, and that some of the Caffres had been shot. I told them not to give up the cattle; and getting together some of the people, I rode after the cattle, which a party of the burgher force were endeavouring to turn. We again got possession of the cattle, and proceeded on the route to Fort Willshire. I gave no orders to fire. I did not see the people who did fire, and I did not during the whole scene of confusion, which I have attempted to describe, see Zeko, or any of his people, either dead or alive. As soon as the confusion was over, and we were again on the route, I made inquiry into the circumstances, and from the information which I received, I considered the burghers perfectly justified in what they had done; and upon my arrival at Fort Willshire, I gave up the charge of the cattle to that place, having only succeeded in taking about 1,600, the remainder having been taken from me by the Caffres. I then proceeded with a small party of burghers to the Namaka, where the commando was lying. I there saw Colonel Somerset and Captain Stockenstrom, to whom I reported what had taken place, and they were pleased to express their approbation of the manner in which the service had been performed.

I shall now proceed to examine the charge made against me by Captain Stockenstrom, and which may be divided into four heads.

1st. That I seized the cattle belonging to Zeko's kraal contrary to orders.

2d. That Zeko and six of his men were murdered in cold blood, and unarmed.

3d. That this was done to find a plea for seizing the Caffre cattle contrary to orders.

4th. That I made a false report.

With regard to the first of these points it may not perhaps be deemed presumption in me to question whether, in a military point of view, and we were employed on military duty, the commissioner-general had any right whatever to give orders; and it may be incidentally remarked, that the first time he assumes his right to give orders is in his Memoir, dated London, 31st October 1833, where he says "I accompanied one of the divisions of the commando after having strictly forbad the boors," &c. The field-cornets were ordered to assemble their men, and repair to Fort Beaufort, and place themselves under the orders of Colonel Somerset, as will be seen by the order which has been produced by the Field-cornet Botha. Captain Stockenstrom refers to the military commandant (23 June 1830,) for a detail of the operations. I consider myself, therefore, warranted in referring to the orders given by Colonel Somerset when I proceeded to Zeko's kraal. The orders which I received were conveyed to me by Captain Stockenstrom in the Dutch language, in the presence of Colonel Somerset, and before all the field-cornets and several of the burghers, and I was distinctly told to take all the cattle which I might find at Zeko's kraal; this is amply corroborated by the evidence of the different burghers who have been examined; and upon referring to the evidence of Colonel Somerset, he says, "the officers commanding divisions were ordered to seize all the cattle of Zeko, Sebecco, Vossio, and Magogo, and to bring them to Fort Willshire," and which is fully corroborated, if indeed corroboration were wanting, by the order produced by Captain Aitchison before the Committee of the House of Commons, in which that officer is directed to secure the cattle of those kraals, and drive them off in the direction, &c. (Evidence, p. 35.) As I do not consider that any man will have the hardihood to assert that the orders given to my division were different from those given to any of the others, I consider the fact of the orders which I actually received to be completely established; but in case further testimony should be considered necessary, it will be abundantly supplied by the correspondence of the commissioner-general himself. In his report of the transaction, he says, "Mr. Erasmus reports that when he had collected the cattle of the said kraals, and was proceeding with them to Fort Willshire, where the colonial cattle were selected," (23 June 1830,) I reported that in obedience to the orders which I had received I had taken the cattle, and was proceeding with them to Fort Willshire; but it is the commissioner-general's commentary "where the colonial cattle were to be selected." If I had been ordered to take only colonial cattle out of Zeko's kraal, (and which the commissioner-general, and every man of experience, knows to be nearly impossible,) how does it happen that Captain Stockenstrom, after reporting that I took all the cattle, and was proceeding with them to Fort Willshire, where the colonial cattle were to be selected, and after detailing Captain Aitchison's

*So in original.*

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Aitchison's proceedings, approves of the whole, and never once intimates that I took Caffre cattle contrary to order; but says that "the proceedings of the late expedition, not my division alone, but the whole of the expedition, which acted under similar instructions, seem the only ones likely to keep the Caffres in check." I consider these points so conclusive as to the fact to the orders which I received, that it would be a waste of words to proceed further with the subject.

2d. "That Zeko and six of his men were murdered in cold blood." In making a charge of this enormous nature against a body of loyal and respectable men, it is to be regretted that the commissioner-general, who evidently states it as making out a very black case against the frontier farmers, did not think it necessary to give some little clue to the persons from whom he derives his information, and I trust that I shall not be considered as using strong language, when I say that, in deliberately making so grave a charge, upon such flimsy and nameless testimony, he has ill performed his duty as a man or as a public functionary. The evidence of the burghers who have been examined, corroborates in every particular the statement which I have made; but which, admitting for a moment, as the commissioner-general appears to think, the evidence of the coloured people is to be taken before that of the whites, the evidence of the Caffre and of the Hottentot, who were examined by Captain Stockenstrom, fully prove the falsehood of the charge, and justify the proceedings of the burghers; and from what I saw myself, (and in the wild confusion of the moment I saw but little,) I am satisfied that had the burghers not fired upon the Caffres, they could not have succeeded in retaking the cattle. The coloured people who accompanied my division were few, but I pledge myself to use every possible endeavour to bring forward as many of them as possible, being fully assured that every one will add his testimony to declare the falsehood of the accusation made by the commissioner-general. And before proceeding further, I would pause a moment, to ask whether the commissioner-general was warranted as an officer and a gentleman, in making so serious a charge against a body of men whose veracity and humanity is to the full as unimpeachable as his own, upon the evidence of the Caffres and their chiefs, men whom he had always regarded as "notorious robbers," and their chiefs as "leaders of robbers."

3d. That this outrage was committed to find a plea for seizing the Caffre cattle. This assertion must certainly have been made without the least reflection, for what plea could possibly have been wanted to do that which the farmers were expressly sent to do, to seize all the cattle at Zeko's kraal, and with the express execution of which duty I was expressly charged. It will be found in the evidence that has been taken, that the cattle had been seized, and had been in our possession for upwards of an hour, and we were on our route to Fort Willshire, when the Caffres commenced their attack; how then could I or those under my command want a plea for doing that which we had already done. I beg to remark, that it appears rather a contradiction that I should first give up the milch cows to the Caffres, and afterwards shoot them in order to obtain possession of their cattle.

4th. That I made a false report. This accusation is made against me in the evidence of Captain Stockenstrom before the Committee. How far his statement squares with the truth will be amply shown by the whole of the evidence which has been taken. It is utterly false that I ever made any such report as that stated by Captain Stockenstrom in his examination before the Committee. I made but one report, and that one has been repeatedly stated in the evidence of the burghers, and to which I refer. It is, however, only necessary to refer to the correspondence of Captain Stockenstrom to prove the falsehood of this statement. In his report to the Government, he states, "Mr. Erasmus reports that when he had collected the cattle of the said kraals, and was proceeding with them to Fort Willshire, where he was furiously attacked by the Caffres." This is the report which I gave at the time. I distinctly said that I had taken all the cattle belonging to Zeko's kraal, according to the orders which I received; and that I executed that service in strict accordance with those orders, and to the entire approbation of the commandant of the frontier and the commissioner-general, is evident from the tone of satisfaction in which Captain Stockenstrom records my report, and his conviction that the fate of Zeko was justly merited.

Before closing these remarks, I beg to be permitted to observe upon the manner in which the commissioner-general has performed what it appears he considers to be his duty. A charge of the most serious nature is made against several public functionaries, and the persons under their orders. If they were guilty of the charge, they were liable to punishment, and yet the commissioner-general, the highest civil authority on the frontier, does not think proper to hold any public investigation, either to clear up the matter, or to bring the parties to justice.

Graham's Town, 3 Feb. 1836. (signed) *P. R. Erasmus.*

(A true copy.) (signed) *D. Campbell,*
Resident Magistrate.

3544. What is the date of the deposition of Colonel Somerset which you have now read?—The 26th day of January 1836.

3545. Before whom were these depositions taken?—They were taken before the resident magistrate of the district of Albany, Captain Campbell, in consequence of the publication of the evidence taken before this Committee in the Colonial Papers. His reason for instituting an inquiry was, as he has informs me,

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me, this, that if there was any shadow of truth in the charge, Erasmus was a most unfit person to hold any office under government, and that remote as the period was when this atrocious act was alleged to have been committed, he felt it his bounden duty to institute a rigorous inquiry into it, which reason he also states he had communicated to his excellency the governor.

3546. What is the next part of the case to which you wish to direct the attention of the Committee?—To the state of the Hottentots in the Kat River settlement immediately previous to the war, and the dependence that appears to have been placed upon them by the Caffres, and to certain proceedings of the missionaries with regard to that irruption.

3547. Have the goodness to proceed with that statement?—Not very long after my return to this country last year, I received several private letters, giving me an account of the occurrences on the frontier of Albany, connected with the irruption of the Caffres. Amongst other things it was stated, that it was suspected the Caffres had been tampering with the Hottentots, that is, the portion of the settlers under the guidance of the missionary, Mr. Reid; that for some time after the war broke out, with the exception of depredations on the Bastards, and more particularly on the Field-cornet Groepe, whose son they wounded when defending his father's property, and succeeded in carrying away 240 head of his cattle, the Caffres had abstained from making any regular attack upon the Kat River settlement; that they evidently expected the Hottentots either to join them or to stand neuter; that at last, finding that the Hottentots opposed them, they made a regular attack upon the settlement on the 17th February, in which they entirely failed, losing several killed and wounded, and not carrying away one head of cattle. In another letter it was stated to me, that it had been discovered that for some time before the war broke out Mr. Reid had had a son of Gaika residing with him at Philip's Town in the locations, without any permission from the authorities, and in direct contravention of the law; that as soon as the officer commanding in the settlement discovered it he sent and brought the boy away, and that then, and not before, Mr. Reid moved up to the camp where the settlers were concentrated; that on his arrival on the frontier, Sir Benjamin D'Urban was so convinced of the great impropriety, to say the least of it, of the missionary Mr. Reid's conduct in respect of the Caffres, that he thought it right to remove him from Graham's Town, and prohibit his return to the settlement. Another of my correspondents stated that the Caffres were particularly enraged with the Hottentots for not joining them, which they had fully reckoned upon their doing; that there had been a strong impression amongst the Caffres that Reid's people (as the Hottentots are called in contradistinction to the Bastards), were at least to "sit still," unless attacked; that it was beyond a doubt that illegal intercourse had been carried on between the Hottentots and Caffres, chiefly by means of the Gonahs, a connecting link between these two people (some of whom, I beg to observe, were in the settlement under legal contract, but many more without legal permission, and were, in one case I know, encouraged to remain by Mr. Reid, although ordered by the civil magistrate to remove;) that the evil consequences of the great excitement produced amongst the Hottentots by the misrepresentations as to the nature and intention of the vagrant ordinance, and the inflammatory speeches made as well by the missionary Mr. Reid, and his son, as by many of the settlers themselves, at the public meeting held in the settlement in the preceding month of August, were at the breaking out of the war fully apparent; that there could be no doubt, from the proceedings of the Caffres, an evident distinction having been made by them between the Hottentots and Bastards, that they had taken advantage of these excited feelings, had tampered with the Hottentots, and were impressed with the belief that, at the very least, they (the Hottentots) would await the results, and see whether they (the Caffres) were successful; and that the successes of the Caffres in the first instance were so great, that had it not been for the declaration of martial law, the consequences of which were strongly impressed upon the whole of the people in the settlement by the magistrate, (who was also the officer in command of the troops,) the undoubted fidelity of the Bastards, the judicious arrangements of the officer in question, who lost no time in concentrating the whole population, Hottentot and Bastard, in one position, thereby controlling the disaffected, and the appearance of a detachment of the regular troops, the disaffected would have declared themselves, and the consequences have been most disas-

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trous. Now I must at once admit, that although I was perfectly aware that the Hottentots were in a most excited state, consequent upon the proceedings relating to the vagrant law I have alluded to, and although I was fully convinced from every thing I had heard when on the frontier, six weeks before the war broke out, that communications had been made to the Caffres by the missionaries which had excited them exceedingly, particularly in regard to "the land," yet when I received the letters I have alluded to, I was very far from believing that the evil had attained a height that threatened not only the safety of the settlement, but that of a considerable portion of the colony; but from information that I have since received, the slightest doubt does not remain on my mind that the Caffres had turned the unsettled state of the Hottentots to good account, and had successfully tampered both with many of the Hottentots, settlers and soldiers; that they were fully impressed with the belief that the Hottentots would join them; and that had it not been for the measures above referred to, the latter would have done so to a considerable extent. My reasons for coming to this conclusion are, first, that it is a fact that the Caffres did not attack the settlement at their first rush into the colony, when the people were all scattered through the locations, and the attention of the troops drawn to so many other points, and when therefore there was every chance of success in their favour; secondly, that they did make a most desperate attack upon it six weeks afterwards, when the whole of the people were concentrated in one position, when a detachment of the line had joined them, and when therefore the chance of success was greatly diminished; and I must add, that it is a fact that Mr. Reid had the Caffre boy in question living with him without the permission or knowledge of the public authorities; that the governor did remove Mr. Reid, and has not since permitted him to return to the settlement. Thirdly, it has been stated on oath that a very few days after the war broke out, a messenger came from the chief Tyalie to a missionary, requesting the latter "to inform Mr. Reid that he Tyalie had told Hintza and the Tambookies that if they came into the colony they were to come by the Chumie station, meaning that they were not to come through the Kat River settlement, lest in mistake they should attack it; and that if Hintza passed above the Katberg, Mr. Reid must take care of himself, and all the Hottentots who did not wish to fight against the Caffres; that they must keep by themselves, for they were friends to the Caffres." (I must add that I know that the missionary in question was obliged by the Caffres to write to this effect, and that the letter was brought to a military officer, but that it was not transmitted to Mr. Reid.) The missionary who has deposed to this fact further states "that he heard the Caffres generally say, why do the Hottentots shoot upon us, we were told they were our friends?" It has also been stated on oath by one of the missionaries residing in Caffreland, that a Caffre came to him about three weeks after the war commenced, but before the attack on the Kat River settlement, for the purpose of informing him, that the Hottentots had promised to assist the Caffres against the colonists; that when required to name any of the Hottentots he alluded to, he did name five, and specified the time and place when two of them had communicated with the chiefs Tyalie and Macomo, in the preceding month of October; that the Caffre said that some of the Hottentot soldiers were willing to assist the Caffres; that he particularly alluded to one of the Hottentot settlers, one of Mr. Reid's people, who he said had often communicated with the chiefs on the subject, was one of the principal mediums of communication between them and the Hottentots, and had frequently permitted the Caffres to enter the settlement without passes. He has further deposed, that on the very day this communication was made to him, he received intelligence from another missionary residing further in Caffreland, stating "that Tyalie was still waiting for the Hottentots." That he, the deponent, has no doubt but the Caffres did reckon upon the Hottentots of the Kat River becoming their allies, but that they never counted upon the Bastards; that the Caffre chiefs urged him (the missionary) to write to Mr. Reid and Mr. Thompson, to get them to ask the Hottentots "why they were beginning to fire upon the Caffres coming from the colony with cattle," and "that they expected the Hottentots would have allowed them to pass unmolested;" and "that the Caffres showed instant surprise and disappointment, whenever it was declared that Hottentots were concerned in hostilities against them."

3548. Do you produce the depositions of the missionaries to whom you have now

now alluded?—I do not, I state it as a fact within my knowledge, that depositions have been made containing what I have now read, and that those depositions have been placed in the hands of the governor of the colony. Col. *T. F. Wade.* 25 April 1836.

3549. In whose possession are the letters extracts from which you also read?—They are private letters to myself.

3550. They are in your own possession?—Yes; I have said that I received several private letters, giving me that as intelligence, and that I was slow to believe it until it was corroborated by the other information I have read.

3551. Do you think that the statements of the missionaries to which you have alluded, as made upon oath, are now in the Colonial Office?—I think it is very probable they are, because I know that they have been placed in the hands of the governor many months ago, and I think it is very likely that they have been transmitted by his excellency to the Colonial Office.

3552. Would you be so good as to state the names of the missionaries who made those depositions upon oath?—I have alluded I think to three missionaries, Mr. Chalmers, of the Glasgow Missionary Society, presiding at the Chumie institution, and his assistant, Mr. Weare; the depositions are by Mr. Weare and Mr. Chalmers only; Mr. Ross is the missionary referred to in one of them as having sent the message to Mr. Chalmers, telling him that Charley was still waiting for the Hottentots. He resided further in Caffreland.

3553. Which of those missionaries made the first statement, and which of them made the second?—The first of the statements was made by Mr. Weare, and the second by Mr. Chalmers.

3554. Mr. *Johnstone.*] Will you have the goodness to proceed with your statement?—The next document I wish to place on the minutes is a statement of the proceedings of the Caffres, from the 17th to the 24th of December, as made by Mr. Chalmers to the commandant of the frontier. Mr. Chalmers says, "when I left Chumie for Graham's Town upon the 11th of December, all appeared to be quiet and peaceable in Caffreland, but when I returned on the evening of the 17th, the scene was changed. The Caffres for miles round were greatly excited. They had left their habitations, sent their women and children to the institution for protection, and either betaken themselves to the forest or to sit with the chief. Mrs. Chalmers informed me Tyalie and his councillor had called at the Mission-house early in the morning, and had stated to her that an affray had taken place between a party of military and Caffres. The report of the Caffres was the following:—That Tyalie's cattle had been grazing within the colony, and that a young officer from Fort Beaufort, with a party of the Cape corps, had seized, and was driving them off; that Tyalie's brother, Zeko, happening to be at the place at the time, and perceiving the chieftain's cattle to be carried off, mustered all the force he could obtain at the moment, pursued the patrole, and retook the cattle, and that in the skirmish two Caffres were killed, and two others wounded, one of the wounded being Zeko himself. On the morning of the 18th, Tyalie came here accompanied by his councillors, and requested me to write to the nearest military post, and inquire "why Zeko and his people had been wounded and killed?" I complied with his request, but the answer being unsatisfactory, and the Caffres being evidently excited, I insisted on Tyalie's proceeding to the post, and having a personal interview with the commanding officer there. He seemed inclined to take my advice, but his old councillors replied "No, do you not see what the white men do to us. They have murdered Eno's son, they have killed Tickoso, they have killed Zeko, one of Gaika's sons; Gaika was a great friend of the white people, and they murder his children after he is dead. The white men pretend to live in peace with us, and you tell us they are friendly towards us; but look! They murder our chiefs and people; we can reckon up 44 men who have been murdered during time of peace. Tyalie shall not go to the post—do you wish him to be killed also? No; we must bite the white men to-day." Of course reasoning with such people was of no use whatever. During the day of the 19th the Caffres appeared to be under dreadful excitement, running to and fro across the country in every direction, as if engaged in some extraordinary enterprize. Having heard that Zeko was most severely wounded in the head, I thought it necessary to request my assistant Mr. Weare to accompany me to visit him; we were never more astonished when we entered Zeko's hut, and found him looking as healthy as usual, having no bandage round his head, nor any appearance of a wound, although his head was shaved. We asked to see the wound

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and were surprised to find it was a mere scratch; if anything like a shot had penetrated the skin, it must have been very small indeed. When we got home to the institution, Colonel Somerset had arrived at the Kat River Post, and had sent down a message to me requesting me to call the chief to him. On Saturday morning I accordingly dispatched a man to Tyalie, but he remained so long that I could not communicate with Colonel Somerset that evening. The message of the chief was, "Colonel Somerset, I cannot see you nor speak with you until you explain to me why Eno's son was murdered by your men, and why Sikoso was killed by the boors, and why my brother is killed in the head." I wrote this communication, expecting to send it early on the morning of the 20th instant, but about two o'clock in the morning a Caffre came to my house, as sent by Tyalie, (I learned afterwards that he had been dispatched by the confederate chiefs) and directed by him not to transmit Tyalie's former communication, but to write to the colonel and inform him that Tyalie would hold a conference with him at the Chumie. That Tyalie would come with only two attendants, and Colonel Somerset must come with the same number, and they would talk over the matters in dispute, as Chumie was a place where God's word was preached, but the post was a place of war. Judging no evil, I wrote as requested, and dispatched the messenger at half-past five o'clock in the morning. Scarcely had he got out of sight, when the Caffres came pouring into the village from the direction of Tyalie's kraal. In the course of a very few minutes the institution was surrounded by 800 or 1,000 armed men, yelling and shouting as if they were triumphing over a fallen victim. I was astonished at their conduct, and proceeded to the foot of the village to ask what it all meant, and why they had broken the word of their chiefs, when, to my astonishment, Tyalie himself stood forward from the midst of them. I remonstrated with him on the deceitfulness of such conduct, and entreated them to go home: they only answered with a horrid yell, and withdrew about 400 yards, and sat down in ambush until the messenger returned. Fortunately, the colonel did not come, and his answer being unsatisfactory, I had to write him in the name of Tyalie, challenging him to come and punish him, and take away his cattle. This was about 9 A.M., and forthwith the Caffres commenced a great slaughter of cattle and goats, which continued the whole of that day, (Saturday 20th), and during the greater part of the following Sabbath. In the meantime, they had scouts out to watch the movements of Colonel Somerset. On this Sabbath-day they did what they pleased at the institution. On this day I heard that Macomo and the other chiefs had been lying behind the Chumie on Saturday morning, waiting the arrival of Colonel Somerset; and in the evening of this day (20th) Macomo sent out these men against the colonists on the lower part of the Kat River. On the 22d all the Caffres round Chumie were busily engaged in Chumie. In the afternoon the chief Tyalie sent a messenger to me to state that the country was now broken, but that the Caffres would do no injury to the traders or the missionaries. Scarcely had an hour elapsed after this communication, when intelligence reached me that the traders Rogers and Bucling were murdered. On the 23d and 24th large bodies of armed Caffres passed towards the colony, and a report was spread in Caffreland that Lieutenant-colonel Somerset had been killed by his own soldiers. On the 26th, 27th and 28th the Caffres returned with their booty, highly elated with their success, and "speaking great swelling words of vanity:" so great was their arrogance, that they came and told me to take charge of their wives and children, while they proceeded to the Salt Pans and Port Elizabeth, where they had determined to construct their cattle kraals and erect their huts.

3555. Mr. *Hindley.*] Did it turn out to be true that Mr. Rogers was murdered?—I do not know the fact; but I have not the slightest doubt about it. The next document which I wish to put in has reference to the advice and communications of one of the missionaries to the Caffres, and which I have alluded to as having, in some degree, caused the excitement at this period amongst the Caffres. This is a deposition taken at Graham's Town on the 1st day of January 1836, before Duncan Campbell, Esq., resident magistrate for the district of Albany and Somerset.

Before John Mitford Bowker, Esq., and Charles Maynard, Esq., Justices of the Peace for the District of Albany, appeared,

William Guyton Atherstone, Esq., residing in Albany, who, being duly sworn, deposes:—I was last April with the army that invaded Caffreland; on the 14th of that month

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month I was with a small escort that captured 53 head of cattle from the Caffres, between King William's Town and Fort Wellington. After having captured the cattle, we ascended a hill, when a Caffre, who belonged to the party from whom we had captured the cattle, fired a shot at us, apparently with a view to attract our attention, and immediately commenced talking to us; he said, "Yes, children, you must take these few cows and calves; they belong to Caliabe; but you will have no rest until we are revenged; we are enemies for ever;" the interpreter, a man named Majeiko, one of Pato's Caffres, asked him, "Who began the war; was it not yourselves?" The Caffre then said, "No, it was one of your white men." The interpreter asked, "Who was that?" The Caffre said it was "Isongolo," literally, a reed, and meaning the Rev. Mr. Reid, the missionary at the Kat River; "Isongolo held a great meeting, and told us that the English were gradually taking away all our land, and if we did not stand up and make resistance, they would not leave us any ground to sit upon. We saw that Isongolo talked well, and we followed his advice, and you will repent it:" he then said, "You have taken all our cattle away, how shall we get food?" The interpreter said, "There is a fat cow just killed in the kloof, eat that;" to which the Caffre replied, "You may leave that to the wolves and vultures; we scorn to eat anything that has been touched by you." There were present Commissariat-conductor William Biddulph, a serjeant of the Cape corps, the chief Pato, with some of his attendants, and several other persons. I stood close to the interpreter, who explained the conversation to me as soon as it was ended. I felt much surprised at hearing this, and got upon my horse, and rode up to Jan Tzatzoe, who had been standing at a little distance, and had also heard what the Caffre had said; and being anxious to know whether or not what the interpreter had told me was the correct interpretation, I asked him what the Caffre had said, and he repeated the same story that the interpreter had told me, without any variation, excepting in the mode of expression. I asked him whether he thought that Reid had done such a thing; he said he did not know; he had heard something of it before; he thought there was some foundation for it, or else the Caffre would not have said so, and would not have invented these stories to injure Reid, whom the Caffres loved. I kept a journal, in which I noted down the results of each day, and therefore I know the precise date. I spoke to Jan Tzatzoe and to the interpreter in the Dutch language.

(signed) *William Guyton Atherstone.*

This is duly authenticated and signed by the three magistrates before whom it is taken, and certified to be a true copy.

3556. What is the name of the gentleman?—Mr. Atherstone, the son of a very respectable gentleman at Graham's Town, the district surgeon.

3557. In what capacity was he connected with the corps?—I am not certain; I understand that he was acting as assistant-surgeon of the troops at the time.

3558. What is the next subject upon which you wish to make any observations to the Committee?—I will now proceed to offer some explanations upon the commando system, as it has been described first by the Secretary of State in his despatches to the late and present governor of the Cape of Good Hope, dated respectively the 13th and 27th November 1833, "on the faith," as Mr. Stanley states, not only "of some very strong representations recently received" (by him) "of the cruelties of the commando system, but also on account of the statements which have been advanced on this subject by several writers on South Africa." Secondly, as it has been described on the authority of some of the latter within the walls of Parliament. Mr. Stanley, in speaking of the commando ordinance, says, "this ordinance has engaged my particular attention, not only on account of some very strong representations which I have *recently received* of the cruelties of the commando system, but also on account of the statements which have been advanced on this subject by several writers on South Africa. These expeditions have been represented as a system of military execution, inflicted upon the natives sometimes to prevent or to punish their hostile incursions into the territory wrested from them by European settlers, but more frequently as a means of gratifying the cupidity or the vengeance of the Dutch or English farmers; and further, as being marked by the most atrocious disregard of human life, and by cruelties alike disgraceful to those who sanctioned, and destructive to those who endured them." In the other despatch, he describes them very nearly in the same terms: "You are doubtless aware of the statements which have gone forth to the world in regard to these commandos, which have been represented as a system of military execution inflicted upon the aborigines, sometimes to prevent or punish their hostile incursions into the territory wrested from them by the European settlers, but more frequently as a means of gratifying the cupidity or the vengeance of the latter." In Parliament the following exposition of the commando is said to have been given: that they are "hunting expeditions, attended by the military

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and European settlers, and other persons which proceed to the districts inhabited by the natives, and surrounding their villages at a considerable distance gradually close in upon them, and destroy both villages and their occupiers," and that "even in 1827 the system continued with its usual ferocity." Now, I admit, without any hesitation, that there are very many and very great evils inherent in the commando system, (some of which I will hereafter enumerate;) that it is a mode of defence greatly liable to abuse under many circumstances, local and others peculiar to the colony, (some of which also are insurmountable); that almost at the very moment when the Secretary of State addressed the last of the despatches above alluded to to Sir B. D'Urban, communicating His Majesty's disallowance of the commando ordinance, I was myself employed in writing to Mr. Stanley, representing the commando as a "system of defence of very ancient date, and which, in every point of view, in my humble opinion, required to be abandoned;" (but not certainly urging that it should be so without the substitution of some other efficient measure of protection, and which, I must add, it was the intention and instructions of the Secretary of State should be provided before the disallowance took place;) and, admitting all this, I do not pretend to assert that instances of misconduct and outrage may not have occurred on the part of those employed on commando within the last 10 or 15 years; but I do assert that such instances have been very rare; and in the most direct and unequivocal manner I deny the correctness of all and every statement or representation, proceed it from what quarter it may, which can be said to justify the descriptions contained in the above extracts; and on the part both of the colonial government and colonists I protest against the "representations" or "statements" in question being admitted as in any degree proving the correctness of the accusations with which they have been assailed, without a formal and public investigation *there*, where alone it can be instituted with any reasonable hope of the truth of every such charge being ascertained, into every case of outrage or oppression that has been brought forward. With the greatest possible respect for this Committee, I deny that they are in a position to arrive at a satisfactory conclusion, viz. to elicit the whole truth, and thereby do justice to all parties. Let a commission proceed to investigate upon the spot; let the accusers and the accused be confronted, and the colonists will not, I dare affirm, be found to shrink from an inquiry which they have over and over again challenged and solicited. Let a commission of competent and unprejudiced men be granted, and I feel well assured that the inhabitants will stand acquitted in the eyes of their fellow-subjects, of the foul charges which have been so unsparingly and unhesitatingly preferred, and so credulously—nay, I must say, so unjustly—received in this country, as substantiated, without a single tittle of evidence having been heard on the part of the accused. Whilst on this topic, I must further remark on the extreme incorrectness of those statements which represent the farmers as enamoured of commandos, or interested in the continuance of the reprisal system, as a source of gain; as regards the first, there are thousands of official documents in existence to prove that there has at all times been the greatest difficulty in procuring the attendance of the burghers on commando, and, in fact, the disallowed ordinance, (above alluded to) which in 1833 re-enacted (for it did no more except to provide penalties) the proclamation of Lord M. in 1797, and the former regulations of the Dutch Government, on which that proclamation was founded, was rendered necessary solely in consequence of the refusal of the burghers to obey the orders of the field-commandants, (one of whom, in 1832, resigned on this very account) when called upon to proceed on commando, for which offence no definite penalty was provided by the Proclamation. In support of the above assertion, I will only refer the Committee to the commissioner-general's letter summoning the farmers to attend on the commando in 1830, in which no less a threat than that of forfeiting his farm is held out in case of disobedience on the part of any burgher; and as to "reprisal," I do not believe that the most hardy accuser of the colonists will venture to state that they have been enriched by that system, or that any man who pretends to possess the slightest knowledge on the subject, will assert that on a fair comparison between the amount of loss by depredation and gain by restitution or reprisal, since the arrival of the British settlers on the frontier in 1820, the Caffres have not had immensely the advantage. I shall now, with permission of the Committee, as far as the scanty materials I possess will enable me to do so, examine and offer some information

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formation as to the cause and proceedings of some of the principal commandos on the Eastern frontiers, that have taken place since the introduction of the system of reprisal, to which the continuance of the commando has so frequently been ascribed, and also respecting some of those which have taken place on the northern frontier, during the same period. Those to which I shall allude, I have selected as having been brought prominently forward by the "writers on South Africa," and others, in proof of the "cold-blooded," "wanton murders," "unprovoked aggressions," &c. which the inhabitants, and with them the government, have been so recklessly and indiscriminately accused of. Before I proceed I wish to make two observations with reference to the means of defence and state of the frontier, at the period above alluded to, when the reprisal system was introduced. First, I find in the Report of the Commissioners of Inquiry, May 25th, 1825, the following extract: "The general tranquillity of the frontier was considered to be sufficiently restored in 1817 to admit of the reduction of the Cape Corps, which had been raised in 1812." Now with great deference to the Commissioners of Inquiry, I very much doubt the correctness of that statement. I find in the government advertisement of the 18th of April 1817, in which Lord Charles Somerset announces the result of his conference with Gaika, that the cause of his having been called to the frontier was "the frequent and daring outrages and depredations committed on the colonists by the people of the Caffre nation." And in his despatch to Lord Bathurst of the 17th of May 1817, he states "I cannot perhaps more effectually point out to your Lordship how destructive to my hopes and views for this colony the removal of the dragoon regiments from hence will be, than by referring your Lordship to my despatch, dated 24th April last, detailing my plans and intentions relative to the best mode of defending the frontier from the depredations of the Caffres, the ground-work and whole main-spring of which defence resting upon the operations of cavalry, &c." Again, in his Lordship's instructions to the commandant of the frontier, of the 9th of May following, there is full proof that he did not deem general tranquillity to be so re-established as "to admit" of a reduction of his force, for in announcing to that officer the orders that had been received for withdrawing the English cavalry, and disbanding the colonial corps, he also informed him, that although this arrangement "would induce a considerable change in the nature of the force," it was "not his intention to subtract from its numerical strength." It is true that the removal of the Caffres from the colonial territory in 1813 had put a stop to depredations "so far to the westward" as they had before that most necessary expulsion extended, viz. "to the limits of the Uitenhage district, on the Cape Town side." But it must be borne in mind, that this very desirable object was not attained without, after their expulsion, keeping in the field, in addition to a very considerable regular force, the commando which had been employed in executing it, and who remained with the troops until 1815. 2dly. It is stated in the Evidence, page 116, that when the "reprisal system" was introduced, "depredations were on the decrease." I have not seen any return of the losses in 1816, but that they were sufficiently extensive in 1817 to require measures to repress them, is shown in the above extracts, and further proved by the returns of that year, in which they are stated at 844 head of cattle, 108 horses, of which not one half of either were recovered. Towards the end of the year 1817, it appears that a considerable quantity of colonial cattle having been seen in 'Tsambie's kraals by the field commandants Nal and Muller, a commando was sent "to demand from that chief all the cattle belonging to the colonists which he had in his possession," and with directions that "should he hesitate in delivering the same, to take steps for enforcing the demand, by securing Caffre herds belonging to the chief or his people equal in number to the quantity seen in his kraals." The above is quoted from the instructions issued by Lord C. Somerset to the Commandant Major Fraser, on the 5th December 1817, in which also occurs the following passages, "His excellency has now an opportunity of distinguishing the guilty, and in the instructions which I am about to communicate to you, I am to point out that the redress due to the colonists is to be sought for from that guilty party, without injuring or even molesting those kraals whose chiefs have evinced their rectitude by a faithful adherence to the treaties entered into with them." "In case of resistance you will use every endeavour to secure the person of 'Tsambie, and bring him prisoner

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soner into the colony; should you succeed in capturing him, his excellency most strongly desires that such steps may be taken as shall be effectual to prevent his escape." "His excellency desires at the same time, that no undue severity shall be used towards him, but, on the contrary, that every comfort and convenience, and every mark of kind treatment, consistent with the perfect security of his person, shall be afforded him." Also, "you will endeavour to impress upon the chiefs that harbouring deserters or colonists (which 'Tsambie has done) cannot but be considered as a measure hostile and injurious to this Government." The commandant was at the same time "to send messengers to Gaika, with some acceptable presents," at the moment he set off for 'Tsambie's kraals, and "to assure him that no hostile steps will be taken against him or his chiefs, and that the armament has for its object solely to enforce a compliance on the part of 'Tsambie with the public treaty on the Kat River;" every exertion was to be made "to continue on the best terms with Gaika, and his wishes were to be sought and gratified as much as possible." It was added, "as however it may happen that Gaika may not be inclined to put faith in these friendly assurances, and may possibly seize the moment when you are absent at 'Tsambie's to make an irruption into what he may deem an unprotected country, his excellency has written by this opportunity to the landdrost of Graaf Reinet, apprising him of the measures which are about to be adopted by you, and desiring him to have such a force in readiness on the Baviaan's River side as shall be efficient to follow and cut off any number which might make the attempt alluded to." Lastly, the governor enjoined the greatest forbearance in a paragraph which I will read to the Committee. "There is no moment perhaps so favourable for contrasting the disposition of a great and enlightened nation with that of a savage one, as that in which the former is compelled to act with vigour, and his excellency trusts, therefore, that on the present occasion you will be mindful of this observation, and should it be necessary to proceed to extremities for the recovery of the colonial property from 'Tsambie and the chiefs under him, you will take special care that the acts it may be expedient to resort to, shall not be mingled with any feelings of retaliation on account of the cruelties which have been committed by this unhappy ignorant people, and will not permit their kraals or cultivated grounds to be destroyed, but will act towards them with all the humanity practicable. Should the colonial cattle have been concealed, so as to render it necessary to take an equivalent from the Caffre herds, you will distribute the latter among the colonial sufferers, putting, however, such conspicuous marks upon each captured Caffre ox, as shall enable you as magistrate of the frontier to recognize such ox at any future period, and be a complete check upon the inhabitants from having in their possession any Caffre cattle not obtained in this just way of restitution." These, permit me to remark, are not the orders of a government using the commando as "a means of gratifying cupidity or vengeance." To what extent Major Fraser succeeded in that commando, I am not aware, but in animadverting on an instance which occurred soon afterwards, in which the orders relating to "reprisal" were widely departed from, Lord Charles Somerset remarks, that "every head of cattle which was brought back by Major Fraser was distributed to those who had been plundered." "There was no booty made." For a very short period this commando produced the desired effect. Towards the end of 1818 Major Fraser was succeeded as commandant by Lieutenant-colonel Brereton, to whom the governor explained, in his instructions, dated Cape Town, 4th September 1818, "the policy to be observed in regard to the Caffre people;" from which instructions, with the permission of the Committee, I will also read some "extracts," which are necessary to a right understanding of the transactions that very shortly afterwards followed. After explaining that the troops on the frontier occupied a line of nearly 180 miles, extending from Esterhuis Poort (which was the left) to the sea, running along the boundary which separated the Uitenhage district from the Caffre territory, the instructions state, "the object of occupying this line is to repress the frequent incursions of the Caffre people, whose habits of marauding frequently induce straggling parties to enter into and conceal themselves in the colonial territory, for the purpose of plundering the colonial herds; in effecting which they often perpetrate the most cruel murders." "It will be manifest that the system of occupying small posts, which you will see to be the one which has been adopted, and in which the troops on the frontier are placed, is calculated for observation, not for aggression;

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sion; but it is necessary that this circumstance should be impressed upon you in order to explain to you the colonial policy in regard to the Caffre people. This policy consists in using in their regard the greatest possible forbearance, in considering them collectively (as often as possible) as friends, and in imputing the grievances, of which the colonists have so much reason to complain, to the acts of individuals or petty chiefs, it being hereby intended to lay the foundation of a more moral sense of right among them; for from the moment the chiefs disclaim the acts of the marauding parties they admit their injustice and impropriety, and it is this feeling that it must be your zealous endeavour to improve." "The Caffre people appear to range themselves under various petty chieftains, and these chieftains again, when not strong enough to assert an entire independence, seem to consider themselves as attached to some more powerful chief. The authority of these chiefs is however extremely limited, nor does any communication we have hitherto had with them lead us to suppose that the great chiefs can altogether control the subordinate ones, or that the subordinate chiefs have any efficient check upon the individual members of their respective kraals."

It appears that, in consequence of the reduction in the regular force, the mounted inhabitants were again called out in 1818 to assist the patroles. The "depredations and murders within the colonial territory having, towards the end of the year, in an alarming degree recommenced." The governor had moreover learnt, "that a combination had been formed against the Caffre chief Gaika, by the border chieftains, headed by his uncle 'Tsambie, for the purpose of obliging him to give up his pacific system;" and Gaika having "requested assistance," his excellency determined to support him. "Before, however, his assent to his being succoured could arrive, Gaika's enemies had overtaken him, defeated him with great loss; his women and cattle, the two great objects of Caffre jealousy, fell into the hands of the marauders, and he retreated to the fastnesses of the Winterbergen."

Such is Lord Charles Somerset's account of the circumstances which led to the commando of 1818; and in the Report of the Commissioners of Inquiry it is stated, that "impatience of the restrictions" (prohibiting them from crossing the boundaries) "was manifested by the Caffres, and jealousy of the ascendancy of Gaika, against whom a confederacy was formed, while protection was given to those who committed depredations in the colony; that measures were in progress to strike a blow against the confederate tribes which "were anticipated" by them; that they "attacked and defeated Gaika, dispossessed him of his cattle, and drove him out of his country."

It will be seen, however, on reference to the Evidence (pp. 42, 528 to 534, and again, p. 117) that Captain Stockenstrom's statement differs materially from the above accounts. He says, "that the expedition went purposely to support Gaika on his complaint that the other chiefs were going to attack him;" that the cattle captured by the commando "were not taken in consequence of any seizures that had been made by the Caffres upon any cattle belonging to the colonists, or belonging to Gaika;" that "no part of Gaika's complaint was that they had seized his cattle;" that "it (the commando) had nothing to do with any quarrel of the colonists," that he knows of; and "that the commando entered Caffreland upon a question totally unconnected with any loss of the colony."

I am not in possession of a copy of the instructions issued to Colonel Brereton on entering Caffreland, but the purport of them is set forth, as also the result of the expedition, and the governor's opinion thereon, in the following "extract" from his lordship's instructions to that officer's successor, dated "February 25th, 1819."

"The instructions," says the military secretary, (issued to Colonel Brereton) "are particularly worthy of your attentive study, as they lay down with great minuteness the line of policy which it has been judged proper to adopt towards the Caffre people; a line which his excellency the commander of the forces will at all times regret the necessity of departing from, although recent circumstances" (those which followed Colonel Brereton's commando) "attending their unwarrantable incursion of the Albany district, appear to necessitate more energetic measures with respect to the hordes who have been guilty of so many atrocities."

"The colonial government has however but one object in view, the tranquillity

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quillity of its own border; to this end the civil and military exertions are pointed.

"The colonial government seeks no enlargement of territory; the known boundary of its settlement, the Great Fish River, it does not desire to pass; on the contrary, it rigidly prohibits its subjects from crossing this line of demarcation, lest in so doing molestation or injury should be offered to the Caffre tribes; in short, the colonial government seeks no communication with the Caffre people, unless they themselves deem that communication useful, in such cases by a public agreement made with their chiefs; the means are placed in their power of coming to Graham's Town to effect such barter as they may require.

"It is impossible to conceive a fairer line of conduct in their regard, or one better calculated to convince them that the inhabitants of the colony wish to live in friendship with them; but the colonial government has gone farther, it has encouraged the settlement of a zealous missionary there, not only thereby to throw the elements of the Christian faith in their way, but to endeavour gradually to communicate to them the arts and benefits of civilized society, nor did a great proportion of the Caffre people refuse to acknowledge the justice and benevolence of the line adopted in their regard. The chief Gaika (not long since considered the most powerful of those who adjoin our border) appears strenuously to have exerted himself to bring the Caffre people to live on terms of reciprocal forbearance towards the colonists. Among his own people he checked depredation, he collected and restored a large quantity of cattle, and many horses which had been plundered from our territory; and he frequently availed himself of the privilege of sending to Graham's Town for the supply of his wants; the consequence of this was a tranquillity on the frontier such as had not been experienced in the memory of man. Confidence began to be established, farms to be settled, and there was every prospect of seeing the most highly favoured province of this government peopled and brought into cultivation.

"These were the flattering views which his excellency entertained when he learnt that depredations and murders within our territory had in an alarming degree recommenced, and that a combination had been formed against the Caffre chief Gaika by the border chieftains, headed by his uncle 'Tsambie, for the purpose of obliging him to give up his pacific system. Gaika notified the change, and requested assistance. He, however, does not seem to have apprehended the storm to have been so nigh; for when it was signified to him that so unforeseen a circumstance required communication with his excellency, and fresh instructions, he appeared satisfied to wait, and did not press for more decided measures.

"In the meantime, before his excellency's assent to his being succoured could arrive, Gaika's enemies had overtaken and defeated him with great loss; his women and his cattle, the two great objects of Caffre jealousy, fell into the hands of the marauders, and he retreated to the fastnesses of the Winterberg.

"Meanwhile Lieutenant-colonel Brereton assembled a force for the purpose of restoring order; his instructions being to fall upon 'Tsambie, and compel him to afford redress. Our very decided superiority, should 'Tsambie dare to face an European force, could not be doubted, and it was wished that success should again throw the strength of the wavering into Gaika's scale, and thus oblige 'Tsambie to retire beyond the Keiskamma. His excellency felt that no other object was of any value, except the personal punishment of 'Tsambie, or his adherent chiefs. Lieutenant-colonel Brereton was not, however, so fortunate as to come up with them; they retreated to the impenetrable thickets with which the interval between the Fish and Keiskamma rivers is covered, and abandoning their cattle, or a great proportion of it, they secured by this means their safety.

"Lieutenant-colonel Brereton replaced Gaika in the ground from whence he had been driven, and restored to him a quantity of cattle beyond what had been plundered from him. He also restored to the colonists who had been plundered a quantity of Caffre cattle, equal to what they had been dispossessed of. In these measures Lieutenant-colonel Brereton acted prudently, consistently with the agreements entered into with the Caffres themselves, and in pursuance of his instructions. But his excellency does not judge so favourably of his having brought away so much Caffre cattle beyond what was necessary to do justice

justice to those who had suffered; nor does his excellency deem Lieutenant-colonel Brereton to have adopted the most eligible course in returning so soon as he did, without having accomplished the object for which he had been authorized to enter the Caffre territory." Col. T. F. Wade. 25 April 1836.

"It has been a maxim, which his excellency has sedulously endeavoured to inculcate, that the colonial government stood in no need of Caffre cattle, and for a long period not a head of Caffre cattle was suffered to be brought into this settlement. Subsequently, when the extent of plunder made it absolutely necessary for our inhabitants to be indemnified for their grievous losses, it was part of our convention with the Caffres, 1817, that when colonial cattle was not restored, an equal quantity of Caffre cattle should be taken; but no encouragement or authority was ever intended to be held out or given for breaking through this rule.

"When Major Fraser returned in 1818 from an incursion into Caffraria, every head of cattle which he brought back was distributed to such as had been plundered; there was no booty made; and it will be advisable to recur to this mode of acting, and not by partial plunder to put ourselves in some measure on a footing with the savages, who have little object in their irruptions into our districts beyond the plunder of the colonial herds."

To the above I shall add "extracts" from letters addressed by Captain Stockenstrom to the chief secretary, Colonel Bird, dated 12th & 18th February 1819, having reference to this commando, and containing his opinions as to the measures necessary to be pursued towards the Caffres, who were at this time over-running the district of Albany. From these it will appear that although Captain Stockenstrom strongly deprecated both the impolicy and injustice of the seizure by Colonel Brereton's commando of so large a body of cattle beyond what might be fairly claimed as indemnification for the extensive losses sustained by the colonists, and by our ally Gaika, (those of the latter amounted to the whole of his cattle, upwards of 10,000 head,) he was very far from disapproving of the commando for the purposes the governor had in view when he sanctioned it; viz. to chastise the confederate chiefs, and compensate our ally; and that he entertained a very strong opinion as to the necessity of the most vigorous measures being had recourse to for the suppression of inroad, and the protection of the inhabitants.

After stating that what he had anticipated from the extensive seizure made by the commando of Colonel Brereton had been realized, and that it was "becoming more and more evident to every person knowing the Caffres, and the state of the interior, that the present system upheld with respect to those savages could not be continued," he proceeds, "how many lives have not been lost since the last commando? What determined and successful attempts upon our armed parties and guarded flocks have not lately been made by a race who formerly fled at sight of a musket? and what else could be expected from a populous tribe driven to desperation by being deprived of all their cattle, their only means of subsistence, left to choose between starvation and retaliation? God forbid that I should plead the cause of cruel barbarians, who have given me too much cause for revenge. On the contrary, I think it absolutely necessary for the safety even of a strong post, that they be most effectually set down. But could not that end have been obtained when we had about 900 men in Caffreland? Might not a camp have been established at some favourable distance near enough to the first river to keep open a communication with the colony, and prevent the Caffres from getting in our rear? Could not these head quarters, under the protection of the military, have served as a rallying point, or rendezvous, and a place of safety for the provisions and baggage, whence strong detachments of mounted men might have been sent out to harass and destroy the Caffres in all directions, until you had made the survivors feel your authority and power, invoke your clemency, give up your deserters, and compensate your ally (Gaika) for the injury done him?"

"That Gaika, from motives of self-interest, will keep to the side he has taken, I doubt not; but that his people would not have co-operated with 'Tsambie in a general massacre if they had been sure of success, whilst our men could not have defended themselves without a chance of shooting one another, no man who knows a Caffre will believe. The prospect of getting possession of so many arms and so much ammunition is more than sufficient inducement for a Caffre to betray his own father."

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"You will perhaps ask what would you have us do? If the farmers cannot be taken from their homes, are the Caffres not to be punished for the murder of two valuable officers, so many soldiers and others? Are they to triumph in the possession of the fruits of the industry of so many wretched families reduced to beggary and nakedness by their depredations? On the contrary, I only object to inefficient measures whereby nothing can be gained but the revenge of the enemy, who, encouraged by partial successes, make the repetition of these petty commandos necessary."

"I even think that things have come to that crisis, that nothing less than a repetition of the commando of 1812, on the other side of the Fish River, will bring the Caffres to peace.

"I mean that about 600 or 700 inhabitants from the upper districts should be sent to guard the frontier, with part of the military; that all the Hottentots who were discharged from the Cape regiment should be called in for the time being, and mounted on horses required from the farmers, who remain at home; that these Hottentots, joined by 500 farmers, which this district, including Cradock and Beaufort, might furnish, and 250 Uitenhage farmers, with some of the military, enter Caffreland at different places, according to a preconcerted well-digested plan, and there remain, acting, as I have above proposed in speaking of the former commando, until you may return with the assurance of being able to live in peace for the future. Some lives will, no doubt, be lost, as the Caffres are in possession of the guns and ammunition of all the men they killed, wherewith they may arm all runaway Hottentots and the whole of David Sturman's kraal. The deserters naturally will also take an active part against us; but the evil is growing so rapidly, that the longer such serious steps are postponed, the more blood it will cost to root it out. A commando lasting so long may also be hard upon the inhabitants for the moment; but it is the only way of making it cease it all; and the peace they will afterwards enjoy will amply repay them for their exertions and sacrifices."

In his letter of the 18th, he adverts to the same subject, and states, that he has sent a confidential person to Cape Town to communicate with the government on the subject—

"The principal points I have directed him to represent are, in the first place, the absolute necessity, if anything at all be done, that a force be employed capable of crushing the Caffres most effectually, so as to reduce them to the necessity of praying for mercy, laying all your arms they have taken from the unfortunate victims of their cruelty at your feet, and bringing your deserters to your camp; for these are the most dangerous incendiaries amongst barbarians, prone to everything horrible, and all petty efforts will add fuel to the flame. In the second place, the danger of allowing any Caffres, apparent friends or enemies, from mixing with your force; for even should they harbour no treacherous designs for the moment, the inhabitants, for whose conduct I will answer if they be well managed, will be a useless body, perhaps run all risks, and abandon the commando, when they shall be surrounded by those against whom they possess a natural and well-grounded antipathy and suspicion. The general cry is, let us meet any number of Caffres, but let us meet them as enemies; for our enemies they are, all of them.

"Thirdly, I have directed him to submit to you of what little use a mounted force can be, if it be kept with the infantry. The latter are necessary, but only to protect your camp, your artillery, your waggons, &c.: they may act occasionally in bushy country, but they cannot come up with the Caffres, if these wish to avoid them."

"My motives may be considered to proceed from revenge, or from imaginary apprehensions; but to refute the former, I have only to ask whether false notions of philanthropy are to lead us to waste the blood of those who have a claim to our protection, from a wish to have it to say, that we brought about civilization by lenient measures, when those very measures are a stimulus to the most savage barbarity, by allowing the greatest cruelties to go unpunished. And as to the latter charge, experience will soon enough prove the truth of what I have advanced, were even my own conduct not a sufficient check to such an insinuation, should it exist.

"Believe me that the Caffres may be brought to this bearing; but they are no more to be trifled with. Gaika individually may remain faithful to our cause

cause, (only from policy), but all his men must be thrown to the opposite scale." Col. *T. F. Wade.*

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After the return of Colonel Brereton's commando, the Caffres rushed into Albany, and committed the most dreadful excesses; "compelling the inhabitants to abandon their dwellings, most of which were destroyed." The commandant was busied in making preparations for expelling them, "punishing 'Tsambie, forcing him, with his principal adherents, across the Keiskamma, and restoring to Gaika, and his chiefs who remained faithful to him, the lands on the left bank of the Fish River," when the Caffres were again beforehand with us, and made that daring and well-concerted attack upon Graham's Town in the month of July, which has been already described.

Here again I will, with permission of the Committee, introduce some further extracts from Lord Charles Somerset's instructions of 25th February 1819, to show, that notwithstanding the excesses committed in the colony, it was by no means his Lordship's intention, at this period, to have had recourse to the extreme measure of depriving the Caffres of the country between the Fish and Keiskamma Rivers, to which he was at length compelled, as the only means of protecting the settlement from the unceasing, harassing and ruinous incursions of the Caffres, and which long experience had proved it was totally impracticable to effect so long as they had access to the extensive thickets on the banks of the Fish River, "the occupation of which, (the Commissioners of Inquiry state), "exposed the frontier to invasion, which the military posts established had been unable to check."

(Extract.)—"His excellency has no doubt that you will find it easier now to expel the Caffres, who, since Lieutenant-colonel Brereton's return, have invaded Albany, and committed the most dreadful excesses, than it was at former periods. The circumstances of the country are much changed: when the Caffres were with so much difficulty expelled the Zuureveldt, they possessed the fastnesses of that great and strong district; they had been long in the occupation of the country they had invaded; they had their families and their cattle there, and every inducement to make them cling to the soil as long as possible. Now, they are merely passengers in it; they have neither their property nor their families, and nothing to induce them to remain, beyond the spirit of hostility which has caused their entering it.

"It will become a question, when you shall have expelled them, whether to follow them or not into their own country; and this question must, in some measure, be decided by circumstances. His excellency deprecates fruitless hostility as much as he does a system of revenge.

"The generality of incursions from the colony have not had the effect of coming up with any body of Caffres, and of decidedly showing that savage race the great superiority of European troops. The importance of punishing 'Tsambie is very great; and if, upon the retreat of these marauders from the Zuureveldt, there is a reasonable prospect, by a prompt and decisive blow, of attaining this object, his excellency will assent to the opportunity being seized; but it is only with a view of forcing this marauder, with his principal adherents, across the Keiskamma, and of restoring to Gaika, and his chiefs who remained faithful to him, the lands on the left bank of the river, that his excellency is induced to do so.

"If the attainment of this object is not feasible, his excellency is of opinion that it will be more advisable to temporize, than by a few partial injuries to rouse and foment the spirit of retaliation and revenge, always prominent sentiments in the breasts of savages.

"It will then be your object to protect and strengthen Gaika, by concerting with him, and establishing his own immediate residence so near to a strong post of ours, adequately secured, (for in intercourse with savages it is always essential to exert the greatest vigilance), to be chosen by you, as shall protect him from personal danger, and, at the same time, admit of his gradually exerting himself to regain the ground he has lost.

"Whatever, therefore, he may want, and we can conveniently supply him with, should be given to him; and the chiefs who are in his interest, or who can be brought over to it, should be, as far as possible, by promises and conciliatory presents, induced to give him their support.

"So soon as he shall be established under your own immediate protection, his excellency thinks it would be advisable that Mr. Brownlee should be

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directed to take up his residence with him. Upon the death of Mr. Williams, who had been a resident missionary near Gaika's kraals, and who had made himself much liked by Gaika, to whom he was personally useful, Gaika applied to have a successor sent to him, and his excellency selected Mr. Brownlee for the purpose of affording Gaika's people such instruction as they might be desirous of obtaining. A copy of Mr. Brownlee's instructions were sent to Lieutenant-colonel Brereton, and from him you will receive it, and learn the importance of having a confidential person with that chief, there being no other mode of communication entirely to be depended on.

"Should Gaika wish to have any of his sons educated in the colony, his excellency will gladly avail himself of the opportunity of procuring them instruction, and take charge of them for that purpose, placing them under the care of the Moravian missionaries to effect it; such a measure should be suggested to him at a convenient opportunity, for his excellency has more hopes of effecting permanent change in the disposition of the body of Caffres towards us, by introducing among them moral and religious sentiments, and the first principles of civilization, than by any other measures which can be pursued.

"If by these measures Gaika can gradually regain the power of which he has been stripped, and if we, at the same time, can continue to encourage him in sentiments of friendship and justice to the colony, we shall have attained a most important end, by means honourable and benevolent, and certainly by means which are deserving an attempt.

"His excellency considers that notwithstanding the disasters which have occurred, much has already been effected, under the system he laid down, by the acknowledgment of a large proportion of the savages of the justice of the principles upon which we have endeavoured to act, insomuch that, even at this moment, the position of Gaika at the Kakaberg at the head of 7,000 armed men, has had the effect of protecting the district of Graaff Reinet from plunder and devastation; and his excellency pleases himself in foreseeing in this strong and chosen band, the elements of a future friendly and extended intercourse with our Caffre neighbours."

As to the result of the campaign which followed the attack on Graham's Town, the Committee have had the evidence of Captain Stockenstrom, who acted as interpreter at the conference on the 15th October, when Gaika, "after much consultation with the other chiefs," (page 44—549) consented to the cession of the country between the Fish and Keiskamma Rivers; and, on the same authority, the history of the new arrangement made in the following year, by the Acting-governor Sir Rufane Donkin, on which occasion Captain Stockenstrom again acted as interpreter; and as that gentleman has not hinted at any stipulation that "the cession should only be a temporary one," and the tract in question "remain neutral only for a time, until Gaika's enemies were tranquil, after which the English were to withdraw from it and the Caffres to return," a stipulation which it has lately been asserted in the colony was made, "but entirely sunk" in the account of the conference published in the Government Gazette,—it is, I conceive, fair to assume that this claim, now for the first time set up for the Caffres, is utterly void of foundation, and, that however unwillingly the cession was made—and it would in truth have been unlike any other cession of country had it been a willing one—it was final and complete.

"The system of defence established by Lord Charles Somerset, previous to his departure from the colony, was one," the Commissioners of Inquiry state, "that required vigilance and activity on the part of the troops." The following extracts from the instructions issued to the commandant at this period, 17th October 1819, will explain in what that system consisted.

"The enclosed return will show the detail of the force which is now placed under your command, amounting altogether to 1,775 rank and file; but as it will be requisite that I should take the earliest opportunity of sending the Royal African Corps to England, to be disbanded, according to the order I have received from His Majesty's Ministers, which will reduce that number to 1,219, I have decided upon augmenting the cavalry and infantry of the Cape Regiment, the former to 120 rank and file, (of which, 12 will be kept in Cape Town) and the latter to 300 rank and file, which will leave the permanent force of the frontier at 1,405 rank and file, of which 108 will be regular cavalry, and 200 mounted infantry, out of the 300 of which the Cape Corps will be composed.

"The distribution of this force, which, upon full consideration, appears to me

me to be most eligible, and which I am to desire therefore that you will conform to, is as follows: — Col. *T. F. Wade.* 25 April 1836.

| | Rank and File. |
|---|---|
| " Algoa Bay | 50 |
| Rautenbach's Drift | 50 |
| Roode Wal | 100 |
| Caffre Drift | 100 |
| De Bruin's Drift | 90 |
| Graham's Town: | |
| Infantry 330 | |
| Cavalry 108 | |
| | 438 |
| Post at Phoonah's, now Fort Willshire | 250 |
| Post at the Givanga | 250 |
| In each of which 100 mounted men of the Colonial Corps is to be considered as included. | |
| Making a total of rank and file | 1,328 |

" Having personally fixed on the spot for the post at Phoonah's kraal, I have only to explain to you the views I entertain with respect to this occupation. Experience has shown that no number of military posts are effectual for preventing the inroads and depredations of the Caffre people upon the colony, so long as that people have it in their power to establish themselves upon the confines of our territory, and possess the forests of the Fish River to secrete their plunder until opportunity offer for driving off the stolen herds to the savage hordes in the rear, who gladly receive and conceal them; in the arrangement therefore which I have lately come to with the chief Gaika, it was agreed that the Keiskamma, from the sea to where the Chumie falls into it, and the ridge of the Kat River hills from the Winterbergen to where they touch upon the Chumie, shall henceforward bound the Caffre people on our side, so that no kraals shall remain in the ceded line, no hunting be allowed, and no grazing to be claimed in future within it. To see to the due execution of this agreement is the first object which you are now to attend to; to preserve the agreement from infraction the ultimate one. By the occupation of strong permanent posts in the heart of the ceded territory, containing each a force sufficient for aggression, it is not to be doubted but that Gaika and his subordinate chiefs may be controlled. It has been agreed that as soon as the next full moon arrives, Gaika and his people shall move from the Kakaberg behind the Chumie. Mr. Stockenstrom has assembled 150 mounted Graaff Reinet burghers, and 50 from Uitenhage, at the Baviaan's River; these are directed to see that he (Gaika) leaves that country and retires behind the Chumie; they are then to destroy all the old kraals, from the Kakaberg to Phoonah's, including those of Kafta, Eno, Botman, Pangella, &c., and to join the force under your command at Phoonah's kraal. As soon as these burghers shall have joined you, (unless circumstances shall then render it of importance to deviate herefrom) you are to dismiss the men now retained from each command, and permit them to return to their respective homes.

" The burghers under Mr. Stockenstrom will then assist the military in scouring the Fish River woods, and in destroying the remainder of Lynx's, Congo's, Habana's, or other kraals which are within the *ceded* limits. In the meantime the work at Phoonah's must be proceeded in, according to the plan which Major Hollaway has furnished for this purpose, and of which I approved, subject to such alterations as the nature of the ground to be occupied should necessitate; every man who can be useful should be employed for its speedy completion; and for this purpose the whole regular force destined for Caffreland, and including the Royal African Corps, should be encamped in the vicinity, to afford due protection to the workmen, and to furnish the necessary parties for the work itself.

" As soon as this post shall be reported to you to be in a state of efficient security, you will be pleased to place two guns in it with a portion of artillery, and the garrison before mentioned, not leaving it with less than two captains.

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"By this time it may be hoped that the remainder of the burghers may be dismissed, as it is of moment that this description of force should not be kept from their houses a moment longer than absolutely necessary. The commanding engineer will have had, during these operations, time to fix upon a proper spot on the Gwanga for the second post, the want of secure water having prevented me from approving of the spots shown to me when I visited them. The force from Phoonah should then be encamped in the vicinity, and this work be proceeded in, in a similar manner to the first, and when sufficiently secure, be garrisoned as was directed for the post at Phoonah's.

"As the permanent interior distribution and arrangement of these posts will take a considerable time, the men and officers must, in the first instance, hut themselves roughly within the works, the permanent buildings being to be proceeded in without loss of time, and every artificer who can be collected from the force under your command and can be made useful, must be given up to the department which will be charged with the completion of these buildings.

"It will be essential, previous to your withdrawing the troops (with the exception of those to be permanently stationed at the two posts just spoken of from the ceded territory, that you seek an interview with Gaika, and inform him, that as he is now the recognized chief of all the country between the colonial boundary and Hintza's territories, it is from him that the colonial government will exact satisfaction, if depredations are nevertheless committed on the colony, and that a force sufficient for the object will be constantly at Phoonah's to enforce my orders on this head; that therefore it will not avail him to say that his inferior chiefs do not attend to his injunctions; he must control them, or point out which of them it is that continues to plunder the colonists, when a quantity of cattle equal to what has been lost will be taken from the depredators, and the parties punished with exemplary severity."

In 1820 there was no commando; the Caffres were totally excluded from the colonial territory under the threat of being shot if found within the boundaries without permission, and a considerable military force was stationed on the frontier to enforce the exclusion, consequently the losses by depredation were comparatively few, nevertheless they amounted by returns to 483 head of cattle.

In 1821 the losses were reduced to 298 head, but the Caffres were already creeping back, the military commandant having unfortunately connived at their return; an erroneous impression existing also as to the precise line of demarcation; and the foundation was thus laid for those extensive depredations which took place in the two following years, and which at length led to the commando of December 1823, alluded to in the evidence of Captain Aitchison. In proof of this I annex extracts from reports of Captain Stockenstrom, addressed to the colonial secretary under date February and March 1821.

February 28th.—"I think it necessary to enclose for his excellency's information, a copy of the commandant Van Wyk's report on the subject of the commando sent out, as reported in my communication to you of the 13th instant, in order that his excellency may be aware in the first place, that the party did not fall in with the banditti they were sent in search of, and next, that the Caffres again occupy the country about the head of the Kat River." Again, March 23d, after returning from a circuit through the Tarka and Baviaan's river districts, he reports "the Caffres are making themselves extremely troublesome; in the latter quarter hardly a day passes without some robbery."

The Commissioners of Inquiry state that "the depredations alarmingly increased in 1822, amounting by the returns to 2,591 head of horses and oxen, and that they were continued in the following year, 1823, in which the losses were 2,136 head;" that they were attributed by Lord Charles Somerset to the relaxation of the system of defence" that had been established, viz. "excluding the Caffres from the thickets of the Fish River by constant patroles," and that it was admitted by the commandant that "he had not persevered in that system." That this relaxation, and the most unfortunate re-admission of the Caffres to the upper sources of the Kat River, were the real causes of the renewal of depredations, there can, in my humble opinion, be no doubt; and that the latter were carried on to a most grievous extent in both those years, before a commando was had recourse to, is unquestionable; and the British settlers represented, in a memorial to the Secretary of State, dated March 10th, 1823, that

"the

"the increasing and unpunished incursions of the Caffres had become insupportable." Col. *T. F. Wade.*

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The Rev. W. R. Thomson, a missionary residing at the Chumie, and employed also as government agent, on being referred to in December 1822, by the commandant, for information respecting a reported combination amongst the Caffres against the colony, stated, that he did not believe any such combination existed, but added, "their disposition to do mischief to the colony, if they had strength, cannot be questioned; but they are too weak to attempt anything on an extensive scale, and they appear to be conscious of it." "They will not, I think, attempt anything beyond the small skulking plundering parties, and these, I believe, will only be effectually repressed by active retaliation on the part of the colony." "Gaika appears neither to have the power nor the disposition to control the predatory habits of his people, and will wink at the crime for the share of the plunder;" and, "I cannot object that vigorous measures are absolutely necessary, and even a commando, to make reprisals for the cattle lately stolen: this would probably serve to check them in some degree for a short time."

But the conduct of the Caffres during the latter part of 1823, and, indeed, "ever since the treaty of 1819," will be best understood from the following letter, dated September 14th, 1823, addressed by Captain Stockenstrom to the deputy landdrost of Cradock, on occasion of one of the field-cornets belonging to his district having conducted a party in pursuit of stolen cattle into the kraals of Macomo (which had been re-established on the upper sources of the Kat River,) for which the field-cornet incurred the displeasure of the military commandant, under the erroneous impression that the country in question was not included in the ceded territory.

"Sir, "Graaff Reinet District, Baviaan's River, Sept. 14th, 1823.

"I have to acknowledge the receipt of your letter of yesterday's date, covering copy of one from Lieut.-col. Scott, on the subject of the late excursion of Field-cornet Van der Nest in pursuit of stolen cattle, and to acquaint you that, after having heard the statement of said field-cornet himself, and others who accompanied him, I am perfectly satisfied that he will be fully able to justify his proceedings when called upon by the government, you, or myself; and it will be particularly gratifying to him to know, that the government, so far from attributing any want of veracity to his late report, has thereby discovered a misunderstanding to exist as to the true line of boundary, and has issued orders for its being cleared up; yet, as it is essential that you should be aware upon what grounds Van der Nest's conduct stands approved of, until the decision of higher authority, I have to inform you, that Van der Nest did not enter Caffraria, but found the Caffres where he had an undoubted right to treat them as enemies, and where it was clearly understood and agreed between his excellency the governor and Gaika, in 1820, that they should never again establish themselves with impunity, every branch of the Kat River being thenceforth to be considered part of the colony; but, admitting that the said Caffres had been in the Chumie, or further eastward, even then the field-cornet would only have done his duty, according to the orders laid down and communicated to the chiefs assembled on the Kat River in 1817, and never to my knowledge repealed, viz. that in case of cattle being stolen, the traces were to be followed to the first kraal, and if restitution of the cattle, or discovery of the perpetrators was there refused, the number of cattle stolen should be taken out of the first flock found. Nor did the field-cornet, by taking 63, possess himself of the number he ought to have brought away, if he could, inasmuch as he did not go merely to indemnify himself, but also two of the inhabitants of his division, who had lost 52 head about the same week, which had been traced into the same kraals.

"If the field-cornet had allowed the cattle to be taken from him, I would readily have considered him guilty of indecision; but after having brought them through the bushy, and having reached the open, country, having thus shown the Caffres that they did not dare to attack him, notwithstanding their numbers, he saw that they were going to resort to their cowardly practice of taking revenge on the women and children by their outrunning the cattle, and seeing night approaching, it was his duty to get home before the Caffres could obtain their object, which he could not do if he stayed with the cattle.

"That we have something serious to expect very soon on the part of the Caffres no one will doubt; but that their attempts will be attributable to the late insignificant party and their proceedings, might have been admitted, if the Caffres had, ever since the treaty of 1819, adhered strictly thereto, and we been the aggressors, but will not bear a moment's argument when the depredations and murders perpetrated for such a length of time back,—the report of the deserters some time ago, about the concerted reconciliation of all parties in Caffreland,—and their concerted plans of operation, together with our long experience of the treacherous disposition of the Caffres, give every one the assurance that the massacres, fires and plundering of 1819, would be repeated the first favourable opportunity. Van der Nest perhaps may have the credit of having unmasked the plot before it had got to too great maturity; and at any rate to expect that men in respectable circumstances should tamely

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submit to being plundered day after day, and to see their lives and those of their families in constant danger from savages, whose existence almost depends on our forbearance, without one single effort to save themselves from beggary and destruction, would be exacting too great a sacrifice of natural feeling. I shall soon again communicate with you respecting the provisional arrangements I shall here make in expectation of orders from government.

" *A Stockenstrom.*"

" Deputy Landdrost, Cradock."

A copy of the above letter was at the same time transmitted by Captain Stockenstrom to the colonial government on the 19th September, stating that it " fully contained his sentiments on the state of the frontier and the Caffres ;" that " he found that the inhabitants continued to be constantly harassed by Caffres, who almost every night made attempts on some kraal;" that if he " might be allowed to judge of their real views, they would put off any serious attempt against us until the nights shall again lengthen, if we allow them so much time ;" that " partial inroads, for the purpose of plunder, were their only object for the present ;" and he added, " the situation of the Caffres on the Kat River certainly facilitates their inroads and depredations, and would be of great advantage to them whenever they are undertaking anything serious."

It was this state of things that raised the question as to what were the precise limits of the boundary, as established in 1819. The point had been referred to Captain Stockenstrom for decision in the month of August, and his opinion was further required by the Governor as to the expediency of maintaining the line established by the treaty, which, following the crest of the mountains, from the Winterberg to the Chumie, embraced the whole of the sources of the Kat River, or of adopting a lower line, crossing the several streams considerably below their sources, and leaving the latter in possession of the Caffres.

Captain Stockenstrom's reply to this reference I shall also annex, from which it will appear that he entertained a most strong, and, as it appears to me, most sound and correct opinion, as to the impolicy of permitting the Caffres to reside on the upper sources of the streams in question—an opinion which, had it been attended to at the time, would have saved both Caffres and colonists a world of future woe.

" Sir, " Graaff Reinet, November 21st, 1823.

" As I informed you in my letter of the 7th instant, I proceeded to the frontier and met Lieut. Pettingall at Fort Beaufort. We mutually explained to each other what we considered the boundary from the Winterberg to the Chumie, and it appears, by some misunderstanding, the upper parts of the Kat River and Gonap have been hitherto considered as out of the colony by the military on the frontier.

" The ' Cape Gazette' of the 30th October 1819, however, clearly points out what was agreed upon as the boundary between the colony and the Caffres in the treaty between his excellency the governor and Gaika in 1819, upon which I have always acted, not being aware of any subsequent alteration.

" In your letter of 28th August last his excellency desires my opinion as to the expediency of maintaining the boundary established by said treaty, or adopting that taken by the surveying engineer. I humbly beg leave to state that I think the former unquestionably the best and most natural. If the Caffres remain on the higher branches of the Kat River and Gonap, where they are now in great force, they will always be extremely dangerous to the Baviaan's River and Tarka divisions. In either of these they can commit depredations and all kinds of outrages after dark, and be back in their kraals with their booty before the next morning, or at least before there is the slightest chance of any party overtaking them ; and whenever they should undertake a general attack upon the country, one long night can bring them into the heart of either of the above field-cornetcies.

" I think also that, upon a minute examination of the map and the features of the country, his excellency will perceive that if any part of the Kat and Gonap Rivers be included in the colony the whole of their branches up to their sources should be embraced also, as the ridge of high land running from the Winterberg between the said sources, and those of the Black Kyr and the Chumie is evidently intended by nature as a barrier between the country watered by these several streams. I have, &c.

(signed) " *A. Stockenstrom.*"

The commandant, however, having, as already stated, permitted the return of the Caffres, either from a good-natured feeling, or because he was in error as to the true line of boundary, the governor would not remove them, and, in an evil hour, conceded to them the fatal indulgence of residence " on sufferance;" and this, too, although at the moment it was granted the returns from the district under Captain Stockenstrom's jurisdiction alone showed a loss of upwards of 1,500 head of cattle. The colonists of course complained loudly of being thus plundered

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plundered with impunity, and at length followed that commando to which Captain Aitchison has alluded in his evidence, which was sent into the kraals of Macomo (for it was to this chief the indulgence had been conceded, and the cattle had been traced to his kraals,) and captured 7,000 head of cattle, of which the exact number stolen—viz. 1,776 head—were distributed to those who had been plundered, and the remainder (5,224) were returned to the Caffres.

In one of his reports to the chief secretary on the subject of this commando, Lieutenant-colonel Somerset, the commandant, expresses himself in the following terms:—"Although it may sometimes be necessary to retaliate upon the Caffres, by taking cattle from any kraal indiscriminately, yet it is a measure that should be avoided as much as possible, as the Caffres are so well aware of how far they are in fault, and can tell to a head the number of cattle they have taken from the colony, that it is never advisable to take more cattle from them than can be traced to their particular kraals, otherwise they will retaliate and cause a useless and troublesome warfare; for this reason I returned the surplus cattle taken on the 14th December, keeping only the exact number stated in the returns."

Now I conceive that in the above letters and extracts there is abundant proof that, from the date of the treaty in 1819, to the period in question (December 1823,) not only were the Caffres not treated with harshness or severity, but that there was evinced towards them a most mistaken and blameable degree of forbearance; that a measure of indulgence had been granted them, which, from the very first moment, they abused; and that, had they been again driven beyond the Keiskamma, the justice of the measure could not possibly have been questioned.

Nevertheless, what says Mr. Pringle, in his "African Sketches," an authority mainly relied upon by those who deem it impossible to promote the welfare of the aborigines without assailing the character of both the colonists and the colonial government.

In speaking of this period, and particularly of this commando of December 1823, Mr. Pringle remarks, "In the meanwhile his lordship's policy towards the Caffres had once more produced its inevitable effects,—provoked, goaded, plundered, often without cause,—and the innocent punished for the guilty; they had renewed their retaliatory and predatory incursions. This afforded a plausible pretext for a fresh campaign by the young commandant." Then, after describing the commando, he adds, "I learned from other authentic sources, that a considerable number of women and children were also shot by the boors." There is not one tittle of evidence to support this accusation, which Mr. Pringle has repeated on other occasions, whether upon sufficient grounds the Committee will hereafter have an opportunity of judging.

Such were the opinions of this writer in 1834; ten years before, at the period under consideration, he had been himself a settler, and had not only joined with others in advocating the cause of an unfortunate portion of their fellow-countrymen who were exposed to the incursions of an insidious and implacable enemy," but so impressed was he with the necessity of a more energetic system being pursued for their defence that, in his "State of Albany," published in 1824, he says, with reference to this commando of December, "Without calculating too much upon the severe check the Caffres have recently received, it may now be safely assumed that some more effectual system of defence will at length be speedily and permanently adopted." And again, "I cannot repress a strong conviction, formed during a residence of two years upon the Caffre frontier, and confirmed by frequent conversations with experienced officers, who have long served on it, that the Caffres may be effectually checked, and their predatory inroads completely repressed or prevented by establishing a line of small posts along a well-chosen frontier, and communicating with each other by constant patroles."

With reference to 1824 and 1825, the Commissioners of Inquiry state, in their report of the 24th December 1825, "the depredations of the Caffres have at no time been wholly repressed, and it is deserving of remark, that, notwithstanding the activity and vigilance of the troops that have unquestionably prevailed within the last two years, and the success that has attended the establishment of fairs, complaints of cattle-stealing are still made, and the barter of

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hides is said to have encouraged the Caffres to commit depredations in order to supply them."

At this period the Caffres were further indulged with a permission (under a pass or license from the commandant) to graze their cattle on the right bank of the Keiskamma, it being explained to them "that the pass was to become void on any depredation being committed, and the cattle which had been permitted to graze under license should be forthwith sent over the Keiskamma into Caffraria;" depredations nevertheless continued, and were in some intances attended by the murder of the herds, when the Caffres were able to surprise them, who were strictly enjoined "never to fire at the Caffres, except in self-defence, which necessity may generally be avoided by giving the alarm in time."

In December 1825, in consequence of the numerous depredations that were traced to the kraals of a sister of Gaika, and of one of her captains named Nouka, a commando was sent into Caffreland, for the purpose of recapturing the stolen property, when a large quantity of colonial cattle, and also of Caffre cattle, was brought away to Fort Willshire, where the former having been selected, the principal portion of the latter was restored to the Caffres.

Mr. Pringle deemed it his duty to call the attention of the Commissioners of Inquiry to this commando, charging, as was his wont, those who were employed on it with "shooting the women and children;" "wantonly firing upon the fugitives;" that "the number of Caffres killed in the expedition was not exactly known, but as the boors fired upon the fugitives in spite, as it is said, of orders to the contrary, from 10 to 20 souls were supposed to have been wantonly sacrificed, chiefly women and children;" that "there had not been very recently any depredations on the frontier."—(*Vide* Parliamentary Papers, No. 50, 1835, page 183.)

The whole of the circumstances connected with this case immediately underwent the strictest investigation, when it appeared that depredations to a considerable extent had taken place before the commando was determined on; that Colonel Somerset had had an interview with the Caffre chiefs, who had assured him that Susa, the sister of Gaika alluded to, and Nouka, were the aggressors; that Gaika having himself traced some of the cattle to Susa's kraals, had sent one of his councillors to her to remonstrate; that this man was murdered, and a threat held out that if Gaika again interfered with her affairs, she would attack his kraals; nor did it appear that any woman or child, or indeed any one else, had been killed.

To this I shall only add an extract from the Reply of the Commissioners of Inquiry to Mr. Pringle, dated 17th February 1826, after they had investigated this case.

"In acknowledging the receipt of your letter of the 12th ultimo, in which you have been so good as to recapitulate the result of the observations that have been made, and of the opinions that have been formed in the district of Albany, of the manner in which the late expedition into Caffreland was conducted, we have been much struck with the difference that appears to us to exist between your statement of the general tranquillity of the Caffres that is alleged to have prevailed for several months past, and the circumstances that have come to our knowledge respecting the personal danger and repeated depredations to which Captain Campbell and his herds have been exposed, as late as in the month of November, and the occurrence of later depredations that are said to have been committed upon the cattle of a boor named Bester, who possesses property on the Fish River.

"We are also desirous of stating to you that Colonel Somerset had an interview with many of the Caffre chiefs previous to any movement of the troops, and was satisfied by their information, that the depredations complained of were chargeable against a particular tribe, whose kraals were more remote than those of the chiefs Gaika and Botman.

"The mistake that was committed in firing upon the inhabitants that were found in the kraals of the latter, is stated to have arisen from a thick fog, that made objects undistinguishable at the hour of the morning in which the attack was made; and that although some of the boors, disobeying their orders, fired shots, yet it is asserted that not one of them took effect; and that the women and children, who had been warned of the approach of the party, by the firing of a gun, had time to retire from the kraal. We understand that the mistake was explained to the satisfaction of Botman, and that he afterwards assisted in guiding the march of the troops to the kraals of the guilty chiefs.

"We

"We state these particulars from information that has been furnished to us, with a view either of relieving the apprehensions that you may have been led to entertain for the tranquillity of the frontier and the security of your party, or to enable you to state to us the grounds of those apprehensions, should you continue to entertain them." Col. *T. F. Wade.* 25 April 1836.

Now, as Mr. Pringle did not enter into any further explanation on this subject, and as, moreover, he has not alluded to this commando in his "African Sketches," he must, I conceive, be held to have tacitly admitted that he was wrong, and had no just grounds for preferring the serious charges in question.

Although depredations were persevered in during 1826 and 1827 to a considerable extent, only one commando took place, viz. in the month of September 1827, for the purpose already explained of replacing the Tambookies who had been driven by the Massoutas under Matuana in upon the colony, in their own territory; these savages had however retired, and the troops and commando having, General Bourke states, "undergone great fatigue, returned to their homes."—(*Vide* Despatch, 15 October 1827, Second Part Parliamentary Papers, No. 252, 1835, page 21.)

In 1828, that commando took place to which I have formerly alluded, for the purpose of supporting the Caffres against the threatened attacks of the Zoolahs under Chaka, and maintaining them in their country.

Both the policy which dictated this measure, and the operations to which it gave rise, are so fully explained in the despatches of Major-gen. Bourke, of 15th October 1827, 29th June 1828, and 1st and 26th August 1828, and in that of Sir Lowry Cole, the 31st January 1829, and their several Enclosures, which are before the Committee, in the Parliamentary Papers, Part 2, No. 252, Sess. 1835; as also in the additional "Explanatory Statement of Major Dundas," annexed to the former part of my statement, that although it is one of the commandos which has been seized upon with avidity by the accusers of the colony, as a proof that even at this late period "the commando system continued with its usual ferocity," I shall only offer a few remarks on it, and place in juxta-position extracts from the works of some of the writers alluded to, with the opinions of those who were from peculiar circumstances so situated as to be able fully to appreciate the feeling of the measure, and to bear testimony to the manner in which it was conducted.

Mr. Bannister has the following paragraphs relating to this commando and the preceding one:—

"The bloody events which took place so late as in July and August 1828, prove farther discussion to be needed, in order to put down the old system of unjustifiable wars on our part."

"In 1827 the cost incurred by a blind defence against the movements of north-eastern tribes, apparently pressed out from home by more powerful invaders, cannot be estimated at less than 200,000 rix dollars, several hundred inhabitants of the eastern district were assembled during some weeks, and the regular troops were increased by a prompt embarkation of a regiment from Cape Town with proper military supplies, whilst the Governor himself hurried to the frontier."

"Again, in 1828 troops were again marched into Caffreland to meet an imaginary irruption, which was thought much more formidable than that of the former year, and more than a thousand inhabitants were assembled with them, including men from their farms 300 miles off, and all were taken 250 miles beyond the boundaries, being absent from their homes during more than eight weeks without finding an enemy. A mode of defence inferior surely to any course likely to lessen the disturbances in the interior by civilizing the people."

It is true that the enemy that was attacked was not that enemy the colonial forces advanced to resist; but it is no less true that those who were encountered were a part of that tribe which had already depopulated and laid waste the whole of the Bechuana country, and driven hundreds of the Tambookies in upon our north-eastern frontier, and who, as described by Mr. Kay, "were of a far more ferocious character than the Caffres, rushing on to combat in dense masses, with stabbing spear and war club, and destroying the hordes overpowered by them root and branch."

As to an "imaginary irruption," Major Dundas's account is sufficiently explanatory of the devastation with which the progress of this ferocious horde had been marked, and certain I am that had General Bourke hesitated to send the

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colonial troops into Caffreland at this period, and that the neighbouring tribes had been driven, as most assuredly they would have been, in upon the district of Albany, there is no term of reproach with which his conduct would not have been assailed with reference to this commando.

Mr. Bannister speaks of "lessening the disturbances in the interior by civilizing the people," and says, that "although the country from Lattakoo to Nattall had been thronged with the disturbed tribes for five years past," (which is perfectly true,) "and that Chaka, the chief of the Zoolahs, had been roving about for a longer period at the head of 20,000 or 30,000 men, subduing all his neighbours near us," (which is also most correct,) "we reject ready means of various kinds of being safe from alarm, and probable confusion on the frontier, if not danger;" and what are the ready means to which he alludes: "the military errors committed in 1828 arose from our want of that knowledge of the enemy, and from his want of knowledge of us, which political intercourse would give;" and he subsequently adds, "expensive embassies are not needed for the wild people of South Africa." Will Mr. Bannister point out the means which have been placed at the disposal of the colonial government at any period for civilizing the people in the interior, or the sum which at the period he is speaking of had been authorized to be expended, not upon "expensive embassies," but even in providing for the payment of one solitary agent amongst the tribes on our immediate frontier.

Mr. Bannister has been followed by Mr. Kay, who, I regret to state belongs to the Wesleyan connexion, the great majority of whose ministers have conferred incalculable benefits on the native tribes, and borne ample testimony to the good feelings entertained towards them by the colonists. I shall transcribe but one extract from this gentleman's Researches in Caffraria, and oppose to it the account and estimate of the character of this commando of Messrs. Boyce and Shrewsbury, also belonging to the Wesleyan connexion, premising only that these gentlemen had resided many years in Caffreland, and had far better opportunities of forming correct conclusions than Mr. Kay.

I must add that Mr. Shrewsbury has been described, by the Chairman of this Committee, "as a minister of great zeal, and mild and conciliatory manners, whose conduct (in the West Indies) was marked with the greatest prudence," to which was added, in my humble opinion the highest meed of praise that can be bestowed upon a missionary "that he had abstained from all political interference, devoting himself solely to the duties of his mission;" and that Mr. Boyce had the most favourable opportunities, from a residence for several years in the immediate neighbourhood of the scene of action, of collecting the most accurate information on the subject; added to which, he possessed also a perfect knowledge of the language of the country.

Mr. *Kay* observes,

"That a strong military force, together with several hundred armed colonists, were hurried into the interior, where they were immediately joined by an immense host of Caffres, who proved themselves to be Caffres indeed! On the Sunday evening the troops arrived within a few hours' march of the spot, and after halting for an hour or two again proceeded, with the view of taking them by surprise ere dawn of day the following morning. In this they succeeded; so that while the greater part of the people were still fast asleep, the rushing of horses, the clashing of spears, and the horrid roar of musketry, poured in upon them on every side. Who can conceive of a situation more awful? The thought makes one's blood run cold. If we had not heard the details of this sanguinary affair confirmed by more than fifty eye-witnesses we could not possibly have given credence to it; so strange was the plan, and so barbarous its results! A respectable British officer, whom duty required to be on the spot, candidly declared to the author that it was one of the most disgraceful

Mr. *Boyce.*

"It is easy to impute unworthy motives, and hint at the perpetration of cruelties, but in the discussion of the merits or demerits of the commando in 1828 we have to do with facts, and no one ought to obtrude his opinions, much less his censures, upon the public, who is not prepared to substantiate by well attested facts his claim to public attention." Mr. B. here quotes from the journal of the Rev. W. J. Shrewsbury, as printed in the Monthly Missionary Notices for May 1829, to the following effect:—

"The conduct of the British army has made a deep impression on the minds of Hintza and his people. On their march they rested one Sabbath at Butterworth, and our chapel was filled with British troops, listening to the word of God. When they came near the field of battle, the evening before the engagement, Lieut.-Col. Somerset called Hintza and Vosani, and requested they would give orders to their people not to kill any prisoners that might be taken, but to treat them with humanity, especially women and children; that if they did not promise this,

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graceful and cold-blooded acts to which the English soldier had ever been accessary."

"The moment our troops arrived on the summit of the eminence that overlooked the vale in which Matuwana and his men were lying, orders were given for all to gallop down amongst the houses, their affrighted occupants then poured out in droves, and a dreadfully destructive fire was forthwith opened upon them. Numbers, gaunt and emaciated by hunger and age, crawled out of their miserable sheds, but with pitiable apathy sat or laid down, as if heedless of their fate. Many of the females cast away their little ones, the more readily to effect their own escape; while others actually plunged into the deepest parts of the river with infants upon their backs. In this situation some were drowned,—others speared,—many stoned to death by the savage throng,—insomuch that the water was at length literally dyed with blood. Dreadful to state, their missile weapons were met by rockets, and for spears they received balls, which their naked bodies were not long able to stand. Hundreds quickly fell, and the rest quickly fled to the mountains, whither they were pursued with as much speed as the soldier's horse was capable of."

this, they should have no help from him. By this means the lives of many poor women and children were preserved, although several of them were after all cruelly and wantonly murdered."

Mr. Boyce, after giving an account of the origin and usurpations of Mutuwana, proceeds to notice his mode of warfare.

"It was his custom," says he, "to attack a kraal before day-break, set fire to the huts, and stab the defenceless inhabitants as they rushed out. He advanced towards the Tambookie and Caffre tribes with the fixed intention of exterminating them, in order that he might possess their cattle, and obtain a secure settlement in their country. This he would have accomplished, had it not been for the interference of the British troops under Col. Somerset. I have no hesitation in stating it to be my decided opinion, formed after diligent inquiry, that this commando was the means of preserving the Caffre and Tambookie tribes from extermination. However unjustifiable in principle, and impolitic in practice, the commando system on the frontier may be, this commando is unobjectionable on the grounds of humanity. As to the necessity of any interference on the part of the colonial government, and as to whether the expense of the commando might have been spared, I have to observe, that although when viewed as a question of mere policy considerable difference of opinion may exist, yet I doubt the wisdom of any policy which is not humane and generous. Had the colonial troops merely guarded the frontier, and calmly looked on while the bulk of the Caffre population was being exterminated, they could not with all their vigilance have prevented the entrance of thousands of refugees into the colony; they would have found employment for years to come in clearing the thickets of Albany of peates of Caffres, dangerous from desperation, and doubly so from the possession of local knowledge; and instead of living on terms of friendly commercial intercourse with the Caffres, we should have needed double the number of troops to keep in check a fierce and warlike tribe.

If any one doubt the humanity of British interference in 1828, let him travel along the Umtakalie River, and among the mountains near the sources of that river, and in the burnt kraals and human skeletons which he will observe on all sides, he will find specimens of the humanity of the Zoolas, Zwabees, and people of Matuwana, those "helpless inoffensive" people, (as they have been called) from whose tender mercies the Caffre and Tambookie tribes were delivered by the commando of 1828."

The author of the African Sketches, Mr. Pringle, has thus described this commando; attacking it not openly indeed, but under cover of that most convenient channel of a "letter," purporting to be written by a gentleman whose name he says he withholds, "lest, by giving it publicity, he should expose him, as others have been exposed, to bitter colonial persecution;" but who, he at the same time so clearly designates, that it is impossible to mistake him. The author introduces the nameless gentleman as travelling near the northern frontier in company with a nameless field-cornet of a nameless field-cornetcy, "one of the most respectable inhabitants of the district, and withal of a very frank and honest disposition." After having made this communicative, but nameless field-cornet relate to the nameless gentleman certain most horrible atrocities committed on a commando against the Bushmen, to which he (the field-cornet) was witness in his youth,—atrocities compared with which it is added "Dr. Philip never published anything half so bad," he then makes him draw the following comparison between the said atrocities and the proceedings of the colonial government on the occasion I am now considering:—

"But what had your Ficani done when they were destroyed by wholesale slaughter by your British commandos; while the boor is threatened with a prison and the gallows if he but fires a shot in defence of all he possesses in the world, of his life, his family, his property, a regular army is sent by the government hundreds of miles into unknown parts on purpose to destroy a whole tribe of people, of whom we never so much as heard before, who never did us the slightest injury, who, against our arms, were utterly defenceless."

"Here we had massacre in all its horror, shooting of men in cold blood, the murder and mutilation of helpless females and children, and other atrocities

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too horrible to describe;" and then, he adds, "but all this I hear your English missionaries defend;" and in a note, he adds "this refers I presume to a letter by Mr. Boyce, a Wesleyan missionary, inserted in the South African Advertiser for March 13th, 1833, defending the justice and expediency of destroying the Ficani."

Now it so happens that Mr. Pringle has fixed the period of the conversation between the nameless actors in this tale, viz., when "measures were in progress for establishing a cordon sanitaire," to prevent the introduction of the small-pox, which took place some 16 months before Mr. Boyce's letter was written. As it cannot therefore be Mr. Boyce the field-cornet alludes to, Mr. Pringle's friends have within the last few months admitted that he was in error on this point, and have asserted that the field-cornet pointed at Mr. Shrewsbury, (how they ascertained the fact is not stated); but Mr. Shrewsbury has not said one word either on the policy, or in defence of the commando, but only on the conduct of the troops and Lieutenant-colonel Somerset.

The above extract affords an admirable illustration at once of the manner in which charges are got up by this author against the frontier colonists, the heedlessness with which men of every rank and description are charged by him with "cold-blooded murders," and of the insidious manner in which men of the most humane and unimpeachable character are assailed, if they do but dare to step forward in defence of the government or the inhabitants.

The next commando on the eastern frontier occurred in April 1829, for the removal of Macomo from the Kat River.

The Committee are already in possession of most of the information, both as to the cause and proceedings of this commando.

Mr. Bannister speaks of it as "the barbarous case of the neutral land," and after quoting a variety of contradictory statements from the Cape Advertiser, he arrives at the following amongst other conclusions: "That Macomo, the son of Gaika, was driven from certain lands without any negotiation, and in order that people from the colony might occupy them;" that "he had been expelled unnecessarily as well as unwisely;" that "for several years it had been determined to seize all the country westward of the Keiskamma."

Next follows Mr. Kay, who says, "this being regarded by the colonial government as a part of the neutral territory, and Macomo having been unwilling to quit it, compulsory measures were resorted to, and a number of troops sent against them; these, in clearing the country, deemed it requisite to set fire to the huts." Again: "In 1828 it is determined to amend the condition of Hottentots and other free persons of colour, in order to which land is of course wanted for them. The boors, some of whom had one, some two, and others as many as three farms within the colony, besides their new grants, could not be disturbed, because able to produce their writings and their title-deeds; but the poor Caffre, unable to show any writings, or to produce any diagram, must be compelled to give up the land of his fathers, because forsooth it belongs to the neutral territory."

Next, Mr. Pringle:

"Whatever may have been the true merits of the case, it is certain that in May 1829 Macomo and his clan were, by order of the colonial government, driven out of a large and fertile tract of country on the sources of the Kat River, upon the pretext that this tract was within the bounds of the ceded territory;" that Macomo "had been permitted to occupy it only on sufferance, and during good behaviour, and that he had forfeited his claims to its possession by his plundering the Tambookie chief, crossing the frontier with an armed band, and suffering his people to commit depredations on the colony."

Now to these witnesses I shall oppose the official accounts of this transaction, contained in Sir Lowry Cole's despatch, 14 June 1829 (2d part Parliamentary Papers, No. 252, Sess. 1835, page 42), the official correspondence already before the Committee, and the evidence of Captain Stockenstrom, and an extract from a letter from Mr. Gisborne, a gentleman who was with the commando, and who states that "he does not think it possible for soldiers to execute more mildly their orders to drive the Caffres out of the country than was done by that body of troops; they carefully collected the few utensils and the little food that was in the tents they were ordered to destroy, and where old and helpless Caffres remained in the kraals, they left their huts standing, and gave them their own rations for their subsistence." I will but add, that of all the

Caffre

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Caffre chiefs to whom the indulgence of a residence during good behaviour within the colonial limits had been conceded, there was not one who had so frequently abused it as Macomo. He had been more favoured by the colonial government than any other, by being permitted to re-occupy the fertile vallies of the Kat River, within little more than 18 months after the general expulsion of the Caffres; and within one year after his return, the depredations of his people were so extensive as to call for that commando in 1823 which has already been adverted to.

The next commando I shall allude to is that of 1830, respecting which the Committee have before them a mass of conflicting evidence.

I shall here offer a few remarks on some points connected with it. First, as to Mr. Pringle's account:

After admitting that "since March 1826, the government of the colony had been administered by individuals who cannot be suspected of any unworthy personal objects, and whose zeal for the public service no one has ever doubted," he adds, "yet, through some unhappy fatality, the old wretched policy of military reprisals, the commando system, is still carried on in all its pristine barbarity and injustice." "I cannot," he proceeds, "possibly give the details of all the iniquitous cases which have reached me," I shall restrict myself to this one, "the facts of which have not been derived from Mr. Bruce's letters, though also mentioned by him, but from a source which has never yet deceived me, (perhaps the "nameles gentleman,") and which in the present instance I can rely upon to the letter." And again, "it is certain the account I have now given of this affair was substantiated by the careful examination of eye-witnesses on the spot."

It is much to be regretted that Mr. Pringle has not named his authority, on whose information he places so much reliance. The degree of credit which is due to his statement, although "substantiated by the careful examination of eye-witnesses," will be at once apparent on comparing the following extract from it with Captain Stockenstrom's letter, June 23d, 1830.—(Minutes, page 106.)

"Field-cornet Erasmus was dispatched with a party of boors to search for colonial cattle in the kraals of Zeko; no colonial cattle were discovered in his possession, or in that of his followers; nevertheless, Erasmus took possession of the whole herds belonging to the clan."

Captain Stockenstrom, who was on the spot, and who saw the cattle at Fort Willshire, states distinctly in his report above alluded to: "Zeko's kraals were surprised by the burghers under Erasmus, and numbers of cattle taken from the colony, some being lately, were found therein."

The commandant of the frontier in his report to the military secretary, states, "The commandant Erasmus informed me that previous to taking off the cattle, amongst which he found numbers of colonial cattle, some of which had been stolen but a few days," &c. &c. And again, "Tyalie was allowed to select the cattle which he claimed as his own, but finding that he was taking the colonial cattle," &c. &c. I deem it unnecessary to offer any further comment on Mr. Pringle's statement.

As to the orders issued on the occasion in question, I cannot help adverting to one document relied upon by Captain Stockenstrom, as proving that they were not those that have been sworn to by the commandant, Lieut.-colonel Somerset and others, amongst whom are some of the most respectable field-cornets in the colony.

I allude to the letter addressed by the commissioner-general to the field-commandant Erasmus, under date 15 June 1830, and which the former has placed upon the Minutes, page 141. By this it appears that every burgher would be permitted to "turn out" such cattle as he could "swear to," as having been stolen from the colony. Now where was the process of identifying the cattle to be gone through? not surely at the kraals of Zeko, or doubtless Captain Stockenstrom, or some other qualified person, would have accompanied that division of the commando composed of the burghers, for the purpose of administering the oath; but at Fort Willshire, where (as Captain Stockenstrom has stated in his report of 23d June) "the colonial cattle were to be selected," and where, as he further stated, "great quantities of Caffre cattle were necessarily brought with those recognized by the colonists as stolen," on which point also the commandant reported on the 24th June to the military secretary, that Erasmus "spoke to the chief Zeko, and informed him that the Caffre cattle would be

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returned after the colonial cattle had been selected, but that he must first seize the whole of the cattle and drive them to Fort Willshire. Lastly, in his deposition, Colonel Somerset swears "the colonial cattle were to be selected from the Caffre cattle at Fort Willshire, as it would have been impossible to separate them at the Caffre kraal without confusion and bloodshed." "There was no difference in the orders given; each officer commanding a division received precisely the same orders;" and in page 35 of the Minutes, the Committee have a copy of the orders issued to the officer in command of another division of the commando, and who, be it remembered, was directed "to join the central division under the commandant of the frontier," with whom Captain Stockenstrom was, as soon as he had obeyed his orders, and these were "to secure the cattle of those kraals" to which he was sent, and "to inform the Caffres, at the kraals where he seizes cattle, that he has orders to take the cattle to the commandant, where all Caffre cattle will be restored to them, and only colonial cattle detained." In compliance with these orders, Captain Aitchison brought away 1,000 head of cattle, joined the commandant and commissioner-general as directed, had no report to make of any resistance having been offered by the Caffres, was not found fault with for having brought away Caffre cattle as well as that stolen from the colony, and of the whole "sweep" none were returned to the Caffres.

As regards the death of Zeko and the six other Caffres stated to be "murdered in cold-blood" on this commando, Captain Stockenstrom, it appears, instituted an inquiry, and took written statements on this subject on the 13th and 16th July, and 27th and 29th August 1831, not one word of which was ever communicated to the Government, his official report of the 31st August merely stating, without a tittle of evidence in support of the announcement, "It now transpires that Zeko and six of his men were murdered in cold-blood." In his Evidence (p. 144, q. 2804) he states, with reference to the above passage, "I conceive it cannot possibly appear in a letter to the government by an executive officer without immediately leading to an inquiry." Captain Stockenstrom was distinctly told by the governor himself, who, as already stated, was totally unacquainted with the investigation that had taken place, that if there was evidence to substantiate the charge against Erasmus, he should not go unpunished. In like manner he had been told by the chief secretary, in regard to the cases of Scheffers and Gordon, "if the representations you have made be substantiated in such a manner as to enable his excellency to act upon them, he will most certainly deprive those persons of their promised grants of land." What was his reply? "As to substantiating anything I have advanced respecting the cases of Scheffers or Gordon, or any body or thing else, I humbly beg leave to refer to the result of the crisis to which matters have been brought."

I shall add but one remark more on this subject. Captain Stockenstrom states, p. 119 in his Reply to the Queries of the Secretary of State, that he expected a "regular court of inquiry" (which, in his Evidence, he explains he expected would be "a military court") "would be held," to investigate the cases above referred to, and before which "he had determined on bringing forward the case of Rezendenhout, accused of maltreating a Caffre, who had himself admitted that his conduct had been most outrageous," (the Caffre having been plundered of his cattle and cruelly beaten, after having killed a cow to feed Rezendenhout and his party, who, be it observed, were not on commando or patrol), "and several others of a most galling nature." I do not believe Captain Stockenstrom, or any one else, can name an instance in which a military court was employed to investigate such outrages, over which it could have no control or jurisdiction whatever; nor one in which the conduct of a burgher employed on commando was ever subjected to military inquiry. Those of every rank and station, civil and military, serving on commando, are subordinate to the senior military officer present; but it does not necessarily follow, that the burgher force is therefore placed under martial law; on the contrary, the judges of the Supreme Court have unanimously given it as their opinion, that the calling out of a commando has not the effect of placing the persons composing it under martial law.

I must here add, that neither have the colonial courts jurisdiction beyond the frontier, an evil which Sir Lowry Cole attempted to meet at an early period of his administration, by proposing an ordinance having for its object the punishment

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punishment of offences committed beyond the boundaries "by persons usually residing in the colony." On the draft ordinance, however, being referred to the judges, they were of opinion that the governor in council had not the power of giving such extension of jurisdiction to the colonial courts, which opinion was reported to His Majesty's Government, and admitted to be a correct one. The evil, however, has not been corrected.

Also I must observe, that in his letter of the 1st April 1836, addressed to the Committee, in alluding to the extract from the civil commissioner of Albany's letter, which I have placed upon the Minutes, page 119, Captain Stockenstrom states, that he (the civil commissioner) "complains of not having an opportunity of earlier inquiring into the matter." The civil commissioner, I must observe, does not "complain," but "regrets that an opportunity was not afforded him to inquire into the subject immediately after its occurrence." Had the circumstances of the case been communicated to Captain Campbell, he would have done that which, as civil commissioner, it was strictly his duty to do, where an outrage upon the natives had been committed by any person belonging to his district, viz. he would have instituted that searching inquiry which Captain Stockenstrom himself has, in a report to the Commissioners of Inquiry, dated 9th August 1826, pointed out as the surest mode of checking outrages committed by those on commando; from which report, as it bears directly on the point under consideration, and contains also this opinion of Captain Stockenstrom with reference to depredations committed by the Caffres, that "the community can be held responsible for the acts of its members," I shall here take the liberty to annex an extract.

(Extract.)—"Another delicate point connected with all the above remains to be touched on, viz. the pursuit of robbers; and some specific regulations on that head are absolutely necessary. If we say that the boors are not to follow up murderers and plunderers beyond the frontier, we lay the firmest foundation for the very thing we are so anxious to prevent, viz. a new frontier petty war: for the order has only to become generally known, (which it must, or else it cannot be acted upon), and one night will be sufficient for the destruction of half the families on the extreme borders, by those who know that the crossing of a river or bridge ensures a safe retreat. Before reference can be had to Cape Town, the gang may be beyond the tropic, and could we then take indiscriminate vengeance on all kraals? It is not there as with the Caffres, where there are chiefs with authority to be found at all times, and where the community can be held responsible for the acts of its members. The savages here are divided into hundreds of small independent parties, who, unless you follow them on the spur, you can never find out again: the impunity of one set of depredators will stimulate others, and the flame once kindled, the scenes of blood of earlier days will be acted over again. The best check on these pursuers of marauders which I have been able to adopt, was to make every individual employed on such a party, particularly blacks, as soon as they return, appear at the drostay, and give a deposition of all the proceedings; by which it is easily discovered whether the pursuit was wanton or necessary, or whether any extremities which could be avoided were resorted to. No boor will inconsiderately run the risk of such inquiry, if his cause be not just; but to check one evil by the substitution of a still greater one, I humbly beg leave to dissent from.

I have, &c.
(signed) "*A. Stockenstrom.*"

I am not aware that there has ever been any complaint respecting the commando of July 1831, always excepting that of Captain Stockenstrom, that it was sanctioned by the governor without reference to him the commissioner-general, "under the impression," (as he himself states), "that he was so far out of the way, that it was necessary on this occasion to dispense with so much of the instructions of the commissioner-general as charges him with the necessary discretion."

Looking at the correspondence on this subject before the Committee, and the examination had thereon, it is hardly necessary to say, that this commando never would have entered Caffreland had the commissioner-general being, as he informed the chief secretary in his letter of the 14th July he was, "on the very spot where the operations were to commence," where he was "best able to judge of the state of the country, and where the burgher force could be assembled with greater facility than in any other part;" the commando moreover not being able to enter Caffreland for a week, and the commissioner-general having satisfied himself that it was unnecessary—had he, under all these circumstances, "protested against its proceeding, and withdrawn the burgher force from Colonel Somerset's command," a course which, as he was informed at

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the time, the governor "would have deemed him perfectly justifiable" in pursuing.

In 1832 there was no commando on the eastern frontier. Depredations continued, but were not carried to a very unusual extent; in one instance, however, they were accompanied by the murder of the herdsman, and the murderer having been given up on the demand of the government, was tried and executed at Fort Willshire, in presence of several Caffre chiefs.

I have alluded in the former part of this statement to the visit of Mr. Bruce, in company with Dr. Philip, to the frontier at this period. This gentleman was on the frontier for a few weeks; had conferences with the Caffre chiefs; discussed with them their claims to the ceded territory, visited the "Chumie Missionary Institution" (as the resident missionary, the Rev. Mr. Chalmers, describes it) "in search of cases concerning commandos in Caffreland, and wished him," (Mr. Chalmers) "to furnish him with some instances of military oppression against the Caffres," &c. &c. The result of his inquiries Mr. Bruce communicated to the Cape public, in several letters published in the "Commercial Advertiser;" in these he assailed the government, the colonists and the military in no measured terms, recording several instances of outrageous conduct towards the Caffres, and quoting as his authority for his assertions, amongst others, Mr. Chalmers, the missionary in question. Mr. Chalmers immediately came forward and denied that he had ever furnished the information stated to have been received from him, in a letter, of which I shall annex a copy:

"To the Editor of the 'Commercial Advertiser.'

"Sir,

"It has been with some degree of astonishment that I have read in your paper a statement said to be made by me to Mr. Bruce, concerning commandos in Caffreland, as being so detrimental to the cause of missions in that country, that the designs of our mission have been nearly frustrated, and we were about to relinquish our work. I lose no time to inform you and the public, that I made use of no such expression, nor anything which had the slightest allusion to it, neither to Mr. Bruce nor to any other person. It is impossible I could so express myself, for I never once conceived it; and I am sorry to think that a gentleman who seemed to be so deeply interested in the oppressions of the Caffres, as he terms them, should, in this instance, at least, have given such an unfair representation. Mr. Bruce seems to have wrote much from memory, and I call upon him to recollect himself, for I do honestly declare that I made use of no such language.

"So far from Mr. Bruce's statement being true (for it is not mine) I do assure both you and him that the Caffres in the neighbourhood of this institution, for the past three months, have given more general attendance and attention to the word of God, than I have seen or known them do since I arrived in Caffreland, which is now a period of five years; so that our church, which is capable of containing 250 persons, has been crowded to excess, and should our congregation continue we may very soon be compelled to erect a gallery.

"So far from Mr. Bruce's statement being true, I do assure both you and him that the foundation of a larger church has been dug at Lovedale; and at Burn's Hill and Perrie, our work seems to prosper, and we have no intention of leaving our work, no not for an hour, although the commando was in Caffreland to-morrow. We know the commando would protect us and our people, and many of the Caffres, as on former occasions, would flee to our institutions as to a place of refuge. With these facts gazing me in the face, how could I say that commandos were ruining our stations?

"Mr. Bruce came to the Chumie Institution in search of cases concerning commandos in Caffreland, and wished me to furnish him with some instances of military oppressions against the Caffres; I assured him that I did not take notes of such matters, neither did I consider it my duty to do so. I said, however, that I would give him what was in my possession if it would serve his cause; (not, however, written by me, but by another person.) I read to him from the journal book what he has given as from my journal; I read to him also the remark which the Chief Macomo made when driven from the Kat River, both of which Mr. Bruce transcribed.

"I was again asked for cases, I assured Mr. Bruce I had got none, and would not give him anything farther as good authority, but since he was so desirous of news, I would call the interpreter who would narrate to him the news; I did so, and shortly after Mr. B. requested me to call the chief, which I accordingly did. I find that in many instances what Mr. B. received from the lips of those two men, he has caused me to say, which I consider to be most unfair.

"Perhaps there may be some strange things in the system of commandos, yet, as I remarked to Mr. B., if he were among the Caffres for one year, he would speak more cautiously concerning them. Not but I am their friend, yea, woe is unto me if I am not their friend—in so far as is consistent with truth, farther I am not—but so far from saying with Messrs. Brownlee and Read that I considered the chiefs Tyali and Botma and Macomo were honest men, I stated that they were generally found to conceal when they could; nor am I their enemy because I say so; I know it is truth.

"I do

"I do assure you that I, as an individual, owe much to the military on the Caffre frontier; I look back with peculiar gratitude to three particular instances when the poor Caffre has fled to me from the hands of those of his countrymen who were thirsting for his blood. I have given them a pass to Mr. Warden, he has kept them under his own care, and fed them at his own expense for some time, until they found themselves out of the reach of harm. I beg you would insert the above in your valuable paper, a copy of which I leave here for the "Graham's Town Journal." I am, &c.

"*W. Chalmers.*"

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Nevertheless these letters have been over and over again quoted in proof of the iniquitous nature of our proceedings towards the Caffres; as have also those attributed to the pen of another individual, to whom I shall next refer, remarking first, that if it should appear to the Committee that I am here adverting to subjects not immediately connected with "commandoes," it must be remembered, that these are two of the authorities, and Messrs. Kay and Pringle other two, whose statements of "alleged outrages committed by the colonists upon the Caffres," have chiefly been relied upon, and been inquired into by the Secretary of State, from Captain Stockenstrom, who in reply has said that "some of the most heinous things they have said," he "knew to be quite true."

In support of the charges preferred by Mr. Bruce against the colony, several letters were published under the signature of "Tzatzo," a Caffre, who received what education he possesses many years since at one of the missionary institutions in the colony. I know not whether this is the same individual of whom Dr. Philip has stated in a letter, from which extracts have been published in the Missionary Register, for January 1834, "We have at this moment a young Caffre chief at one of our missionary stations, who is vindicating the character of his countrymen, and exposing the cruelty and injustice with which they have been treated, in our public journals, with an ability superior to that of any of his numerous and virulent assailants within the colony;' but be that as it may, the annexed depositions will at least prove that the letters in defence of Mr. Bruce's statements were not written by Tzatzo, but by one of the missionaries of the London Society, namely, Mr. Brownlee, and I am assured, on authority on which I can perfectly rely, that the copies of those letters transmitted to the editor of the Graham's Town Journal for insertion in that paper, were in the handwriting of Mr. Read, jun. son of another missionary of the same society, and himself employed as an assistant.

District of Albany.

At Graham's Town, on this 1st day of January 1836, and before Duncan Campbell, Esq. Civil Commissioner and Resident Magistrate for the districts of Albany and Somerset, appeared *William Guybon Atherstone*, Esq. residing in Graham's Town, in the district of Albany, who being duly sworn, deposes:—On Sunday, the 12th of April last, I was riding with Jan Tzatzoe, the Caffre chief, near the late station of the Reverend Mr. Brownlee, (now King William's Town), on our way to join the head-quarter division of the army; in the course of conversation I asked him, who wrote the letters which had appeared in his name in some of the Cape newspapers; he said he wrote them; I then asked him in what language he wrote them, as they appeared in the English language; he said "I do not mean I wrote them, I composed them, and got some else to write them down." He appeared unwilling to tell me who it was, but upon my pressing him, he said they were written by the Reverend Mr. Brownlee.

(signed) *William Guybon Atherstone.*

Before me,
(signed) *D. Campbell,*
C. C. and Res. Magistrate for Albany and Somerset.

(A true copy.)
(signed) *D. Campbell,* C. C. Resident Magistrate.

Appeared *John Mitford Bowker*, Esq. Justice of the Peace for the district of Albany, and Government Resident at Fort Peddie, in the said district, who being duly sworn, deposes:—I know Jan Tzatzoe, the Caffre chief, he resided for several months in the immediate neighbourhood of Fort Peddie; he has frequently brought letters to me, and requested me to read them to him, which letters were written both in Dutch and in English; he has also frequently requested me to write letters for him, which I have done; I have even written notes of the most simple kind, such as a request for a little tea and sugar; I always put his name to these letters, and it is my firm belief that he can neither write nor read manuscript.

(signed) *John Mitford Bowker.*

Before me,
(signed) *D. Campbell,*
Resident Magistrate for Albany.

(A true copy.)
(signed) *D. Campbell,* C. C. and Resident Magistrate.

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As I have already fully described the removal of the Caffres from the Muncassana, and the tract between the mouth of the Chumie river and Fort Willshire, in 1833, I shall here only add a few remarks on Mr. Pringle's history of the treatment of Macomo at this period, which I am the more anxious to examine as the "colonial oppression" which it is stated "continued to trample down this chief, with a steady, firm, relentless foot," is laid to my own charge.

Mr. Pringle says, "it is acknowledged that Macomo has evinced the strongest disposition to cultivate peace with the colony, and has continued to reside quietly within the narrow tract of land on the Chumie, which the Commissioner-general Stockenstrom, and the Commandant Somerset, left in his possession, after his expulsion from the Kat River in 1829, and which appears to have been verbally guaranteed to him also by Sir Lowry Cole."

Macomo was, in compliance with the instruction of the commander-in-chief, removed beyond the colonial boundaries at the period stated, with positive orders that he should never again be permitted to reside within the colony. Sir Lowry Cole never saw him, and never verbally guaranteed to him the possession of the tract alluded to, or of any other. Again, "Lieutenant-colonel Wade has thought fit to signalize his brief prefecture by cutting another slice from the Caffre territory, from that territory which even Lord Charles Somerset had relentingly spared to Gaika, and which Sir Lowry Cole permitted his son Macomo to retain."

As already satisfactorily proved, I trust, to the Committee, the Caffres were not, upon the occasion alluded to, removed from any part of the Caffre territory "spared by Lord Charles Somerset."

Mr. Pringle adds, "the whole case is thus fairly and forcibly stated by Mr. Fairburn," one sentence only from which statement I deem it necessary to introduce; alluding to that portion of the neutral territory from which Macomo was removed at the period in question: he says, "to prove its neutrality it is, we understand, on the point of being given away to fresh hands from the colony;" and again "his excellency (the new governor) will no doubt inquire, whether the covetousness of individuals had not more to do with this act than a pure zeal for the public service." Such an intention never was entertained or thought of, by any one, that I am aware of, Mr. Fairburn only excepted.

The next instance of "harsh treatment" selected by Mr. Pringle, is the arrest of Macomo, when attending a missionary meeting at the Kat River, on the 7th October 1833, to which I have formerly alluded at page 115 of the Minutes, but which I deem it necessary to explain more fully in this place.

In Mr. Pringle's account of this transaction, after recording a speech said to be addressed by Macomo to the meeting, he adds, "in the midst of this exhilarating scene, the African chief recommending to his followers the adoption of the Great Word, they were interrupted by the sudden appearance of a troop of dragoons dispatched from the military post, to arrest Macomo for having crossed the frontier line without permission; this was effected in the most brutal and insulting manner possible, and not without considerable hazard to the chieftain's life, from the ruffianlike conduct of a drunken sergeant, although not the slightest resistance was attempted;" he adds, "these facts have been published, with numerous other disgraceful details, in two Cape papers, without either contradiction or explanation being offered." There is but one word of truth in the whole of the above statement, namely, that the account published in the Cape paper, and which, although itself, for the greatest part untrue, is directly opposed to Mr. Pringle's statement, was permitted to pass uncontradicted.

First, Macomo was not arrested in the midst of the "exhilarating scene" alluded to: "when the sergeant arrived at Philip's Town the religious part of the meeting had been over for some time; and Mr. Read's family, several visitors, and Macomo amongst the rest, were at tea in Mr. Read's house."

Secondly, the "troop of dragoons," consisted of "one sergeant and six men."

Thirdly, the arrest was effected in the most mild and gentle manner, without the slightest hazard to Macomo's life, and by a sergeant who was perfectly sober, whose conduct Mr. Read repeatedly eulogised, the same evening, stating that it "had been most proper, and that it was well he had acted with such discretion and prudence, the matter ending so quietly as it did being mainly owing to his exertion of those qualities."

There

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There was present at this meeting, Mr. Barker, a missionary of the London Society, who, six weeks after the meeting had taken place, published an account of this transaction in Mr. Fairburn's newspaper, from which I shall here introduce some extracts.

"Macomo did not arrive until half-past five on the evening of the 6th (Sunday)." "On Macomo's arrival he immediately informed us that he had been refused a passport at the New Post, but being determined to be present, he had taken another road, and he said 'I am here, but what the consequence will be I do not know.'" The meeting took place on the following day.

"What followed after the meeting was over defies the whole art of penmanship to describe. We were sitting at the dinner table, at near five o'clock; the cloth not yet removed, when our attention was attracted by a party of soldiers riding furiously down the hill into the village. A simultaneous rush ensued to ascertain the cause, when the reason was soon explained, by sergeant Sandys inquiring for Macomo. I should have said that Macomo was the only person who had not left the room; he took his station inside the door. Macomo, however, was called, and he came. The sergeant told him he must go with him, to which he assented, for he had just been speaking of leaving, and was only waiting for a cup of tea. Macomo turned round to return to the room, the door of which was within 10 yards of where he stood, on which I heard the sergeant say, 'D—— you, if you shall move from that spot,' and proceeded instantly to load his firelock, and also gave orders to his men to do the same; but my attention was so rivetted that I did not observe their movements, I only saw the sergeant load his piece, by putting a ball-cartridge in both barrels, in the very face of Macomo. The patrole now dismounted, unsaddled their horses, and gave them a feed of corn, which they had brought with them. Macomo, mark, was now surrounded by the soldiers on foot, and positively forbidden to move from the spot, on pain of being PINIONED! His countenance now glanced with the most dignified disgust I ever beheld, while he every now and then turned round, viewing his guards, and asked what all that meant. The sergeant, too, acted his part in this tragedy, saying, 'You need not be afraid, Macomo; if you behave civilly, I shall treat you civilly; I am only doing my duty,' &c.; whilst Macomo as repeatedly cast his eyes on the guard, and asked, 'What does this mean? Is this civility?' 'Tell him,' said the sergeant, 'he need not be alarmed, he knows I am an old friend of his.' It is impossible to describe the look of contempt which Macomo gave him as he uttered—'Yes, I have cause to know you, for it is not the first time I have been insulted by you,' or words to that effect. 'What have I done amiss?' asked Macomo, almost raging with disgust; 'what have I done that I cannot withdraw for a moment?' But for Macomo there was no grace. In this degrading situation was Macomo held, without being allowed to move a yard from the spot where he was arrested, for an hour, the gaze of the multitude and the sport of soldiers! At length Macomo's horse was caught, the military horses re-saddled, and Macomo, in the midst of all a prince, requested young Mr. Reid to accompany him to his horse, that, as Macomo expressed it, though a prisoner, it might not be said his friends had all deserted him. The party rode off, Macomo accompanied by Lodewyk Pefferd, Mr. Reid, sen., and Andries Stoffels.

"Piet Bruintjes and Piet Draay declared that the sergeant and two other soldiers, nearly rode over a child of the former, as they came between the houses, a child five years old. I have the names of the two soldiers."

However totally at variance with the truth the above account of the sergeant's treatment of Macomo, two facts are established by this statement;

First, that Macomo was received by the missionary, Mr. Reid, and entertained by him part of one day and the whole of another, with a perfect knowledge that he had been refused permission by the proper officer to enter the colony.

Secondly, That the arrest did not take place at the church, but at Mr. Reid's house.

There is yet another version of this transaction to which I wish to allude before I give the correct one, namely, that of Captain Bradford, already on the Minutes; that gentleman has given the history of a meeting of several of the Caffre chiefs "assembled to consult on the expected arrival of the governor and their grievances" (No. 1434),—amongst those enumerated by Macomo was, "that he and other chiefs could not cross the English boundary, for a few

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hours, without obtaining permission from some colonial authority;" adverting to this point, Captain Bradford says, "an instance took place, in which Macomo was personally treated with the greatest indignity—having proceeded to the Kat River, without permission, to attend the anniversary of that establishment, and being seated in the midst of the party assembled in the chapel, a guard of mounted troopers galloped down the heights, under command of a sergeant, who placed Macomo between two soldiers, with a threat to shoot him instantly, if he attempted to move from between them, and in this manner conducted him to the military out-post, where, at the intercession of Mr. Reid, he was released, and permitted to re-enter his own country."

In reply to Question 1451, Captain Bradford states, that "the information relative to Macomo's having been forcibly conducted from Kat River by a party of soldiers, was given to him by Mr. Reid, of Kat River, and his son."

I will now add a different version of this transaction, of which the greater part has been deposed to by the sergeant, on oath, and the remainder can be also proved in like manner, if required.

On Macomo being refused permission to go into the Kat settlement, he quitted the post, disappointed certainly, but apparently acquiescent. The next day the officer received information, that notwithstanding his prohibition, Macomo and his party had entered the settlement by another road, and were received by Mr. Reid at Philipstown. Mr. Gardiner immediately sent Sergeant Sandys, C.M.R., a remarkably steady, intelligent and trustworthy person, with six men, to bring Macomo and all Caffres found with him, to the post.

The party started about two o'clock in the afternoon, the distance 18 miles, the road in some parts hilly and bad; they therefore rode smartly, as the sergeant was anxious to return before dark.

When he arrived at Philipstown, the religious part of the meeting had been over for some time, and Mr. Reid's family, several visitors, and Macomo amongst the rest, were at tea.

On the party halting before his door, Mr. Reid came out, professing complete ignorance of what could have brought them there: the sergeant informed him that he was sent by Ensign Gardiner to bring Macomo to Kat River post; that he wished to do so as quietly and gently as possible; and that he hoped Mr. Reid would do all he could to induce Macomo to come peaceably with him; for that his orders were most peremptory, and must be obeyed.

After some parleying, and Mr. Reid's going a good deal back and forward between Macomo and the sergeant, it ended in Mr. Reid's requesting that they might be permitted to finish their tea, when he himself would accompany the whole party, Macomo of course included, to the post, and endeavour to allay the displeasure of the officer.

To this Sergeant Sandys willingly consented, but requested that there might be no unnecessary delay. He ordered his party to keep a look-out round the house, for fear of an escape, and waited patiently for half an hour, by his watch: he then again demanded Macomo, and being led to suspect a greater unwillingness amongst them to proceed to the post, and the evening closing in, he became peremptory, and declared he could permit of no trifling, and, however unpleasant it might be, he must do his duty, and proceed into the house for Macomo, if he was not immediately forthcoming.

This produced the desired effect; Macomo came out; Sergeant Sandys accosted him good-humouredly, and being by experience well acquainted with his propensities, said, "Come, Macomo, it is no use being cross; here, take a little wine, and let us ride friendly; you and I are old acquaintance," which was perfectly true, as Macomo had constantly been in the habit of getting wine and other refreshments at this sergeant's quarters, whenever he came to a post where the latter was stationed. However, Macomo chose to be sulky; they rode on, and reached the Kat River post about eight o'clock P.M.

The officer reprehended both the chief and the missionary very severely, the former for disobedience of orders, and the latter for countenancing and encouraging his doing so. Macomo had not much to say; Mr. Reid was all mildness, sensible of his error, full of apologies and excuses.

Mr. Reid begged very hard that Macomo might be released; he well knew the odium which would so justly fall upon him for having brought the man into such a scrape.

The officer ventured to comply, and Macomo was liberated in a quarter of an

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an hour after he arrived, with an admonition never to act so again: he promised he never would.

Mr. Reid is rather aged, had exerted himself through the day, was fatigued with his ride, and frightened for consequences. He came to a house at the post where he knew he would be hospitably received, got refreshment and a bed in that house: during the evening he expressed great regret for what had occurred, pretending not to have been aware, until the sergeant came for Macomo, that there was any hindrance to Caffres going where they chose; whereupon it was remarked to him, that if he was ignorant on the subject, his friend Macomo knew it right well, and had used him very badly in implicating him in his disobedience.

Mr. Reid repeatedly stated on that evening, that the conduct of the sergeant had been most proper, and that it was well he had acted with such discretion and prudence, the matter ending so quietly as it did being mainly owing to his exertion of these qualities. He expressed the greatest fears of Colonel England (the commandant's) displeasure, and determined to set off at daylight, in order to write a deprecatory letter to that officer, which he said he would send by Mr. Barker, one of the missionaries, who should ride day and night with it. Some remark being made about the difficulty of riding at night, he said, "The case was too important for delay."

A person of undoubted veracity who attended the meeting, on discovering under what circumstances Macomo was there, pointed out the impropriety of the measure to Mr. Reid, and left the place immediately on their coming out of the church, as he so very much disapproved of making religion a cloak for inducing this savage to disobey laws and regulations intended for the benefit of the community.

Mr. Reid stopped at this person's house on his return to Philipstown, and declared, that where he had slept the previous night, the strongest disapprobation of Mr. Gardiner's conduct had been expressed. The reverse was positively the case, as he had been plainly told Mr. Gardiner could not have acted otherwise, without risking his commission.

The person above alluded to was the Rev. Mr. Thompson, the chaplain of the settlement.

Mr. Reid went home; Mr. Gardiner, softened by Mr. Reid's contrition and Macomo's obedience to his summons, made a favourable report to Colonel England, and no further notice was taken of the matter by that side. Six weeks elapsed, and all remained quiet, when Mr. Barker published the account of the transaction in one of the colonial newspapers alluded to by Pringle.

In that letter two men are made to state, that Sergeant Sandys nearly rode over their infant children, one of whom, Piet Bruintjies, has but two children, both females: they have been married some years, and on being asked, did he believe Sergeant Sandys capable of wantonly or carelessly riding over a child, he very readily answered in the negative, but stated that the children were frightened by the dragoon horses.

I repeat, that every tittle of the above statement can be proved by the most incontrovertible authority; and I must add, that the moment Mr. Barker's letter appeared in the newspaper, the sergeant complained to his captain, and requested him to apply to Major Cox, commanding the regiment, to cause an investigation of his conduct; that his captain told him that "his commanding officer was quite satisfied with the way in which he had performed his duty, and that the letter must be treated with contempt."

Lastly, I must state, that Sergeant Sandys has held his present rank many years; has served 14 years in the Cape Mounted Rifle Corps; and that the strongest testimony has been borne to the great respectability of his character as a non-commissioned officer, and to the sobriety and correctness of his conduct during the whole of that period.

I shall now pass to the consideration of the statements that have been put forth (chiefly by Mr. Pringle) relative to some of the commandos against the Boschmen on the northern frontier.

Referring to "the annals of the barbarous wars that have been so long carried on between this race of men and the frontier boors," he says, "I shall not here rehearse the melancholy history, which is indeed far too voluminous for my limits; but in order to give the reader some idea of the system pursued towards this race of men, I subjoin a few illustrations not before published."

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The first is styled "an anecdote of the olden times, as told by an actor in the bloody drama; the case," he says, "of the Dutch colonists, by one of themselves." "The letter from which I print I have received within these few weeks." Then follows the relation of the most wanton and atrocious massacre of four helpless women that has ever been recorded, even by Mr. Pringle.

With this case it is impossible to grapple, as it is that one already alluded to, related by the "nameless field-cornet" to the "nameless gentleman," described as "with Dutch blood in his veins, himself a colonist, and warmly attached to the Dutch-African population, though an enlightened friend also to the aboriginal race."

Mr. Pringle too, it is asserted, was "warmly attached" to the Cape colonists. "No author," (says Mr. Fairbairn, in introducing the "African Sketches" to the notice of his readers), "Dutch, English, French, Swede or German, who has treated of us or of our affairs, has spoken more kindly, more affectionately, or more respectfully of the colonists generally than Mr. Pringle has done;" and he adds, "the same remarks apply to the works of Mr. Bannister, Dr. Philip, and the Rev. Mr. Kay."

As it appears to me there is not much of kindness, affection, or respect, evinced in the recital of such an atrocity as the one above alluded to, without affording any clue by which "the actor in the bloody drama" could be singled out, instead of allowing the stigma to fall on whom it may of the whole body of field-cornets on the northern frontier; I must at once state, that I entirely disbelieve that any such letter was ever received by Mr. Pringle. The "second case" is introduced with this preface: "Let us once more revert to facts," "nor need we recal the barbarous acts of ancient times; let us look merely at the legalized butcheries of the Bushmen race, which were incessantly going on while I was myself in the colony." "I well recollect of the field-commandant Van Wyk, generally considered one of the most respectable men in the Cradock district, halting at my cabin in 1821, as he returned with his commando of boors from an expedition against some hordes of Bushmen on the Bamboo's Berg, who had committed depredations in the Tarka. He and his men, as I was then told, had slain upwards of 80 souls, and had taken captive a considerable number of women and children. It was an expedition ordered by the government, to repress the aggressions of the Bushmen, and this was the regular mode in which these affairs were managed; the kraal was surprised, the males consigned to indiscriminate slaughter, and such of the women and children as survived the massacre were carried into captivity."

I must first of all remark, that Mr. Pringle is in error in regard to the date of the commando he alludes to. It took place in 1820, and not as he states in 1821, and fortunately, the whole of the official correspondence on the subject is before the Committee (1st part Parliamentary Papers, No. 58, Sess. 1835, page 61, and following), and from which I shall give some extracts. The first, the Field-cornet VanWyk's report, 17th August 1820. "That the Bushmen had carried off 21 horses; that he followed them with three men, overtook them at the Bamboo's Berg;" "that they immediately concealed themselves behind the cliffs, and commenced attacking us with poisoned arrows." A skirmish ensued, one Bushman was killed, and the party succeeded in recapturing eight of the horses. "The Bushmen being strong in number, he (the field-cornet) ordered a commando to be in readiness on the 25th; and in applying to the deputy landdrost for permission to proceed with it for the purpose of recapturing the horses, he adds, "Sir; Many Bushmen I have detected in the act of thieving whose lives I have spared, and whom, since they have no means of gaining a livelihood, I have put in the service of certain persons, with the view of reforming them, if possible; but several of them have lately returned to their former courses of life, so that I have nothing to anticipate but evil from these folks." The deputy-landdrost grants the permission, and the following is the field-cornet's report on returning from his expedition, which I beg the Committee to compare with Mr. Pringle's statement.

Sir, Tarka, 14 Sept. 1820.

THE commando that went out on the 25th August last encountered the plundering Bushmen with 13 stolen horses, which they had still with them; but they had no sooner discovered the commando than they again retreated to their cliffs for shelter, and commenced shooting with poisoned arrows; 16 of the robbers were killed, a woman and two children remained dead on the field; 58 women and children were taken prisoners, and the horses recovered.

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recovered. I also met other wild Bushmen, about whom there existed no appearance of having committed robbery; I therefore left them undisturbed, assuring them that they need entertain no fears on account of any commando so long as they kept themselves quiet and did not steal, the commando being directed only to the suppression of the robberies that had been committed.

Having understood that there were several Bushmen with stolen horses in their possession flying before the commando, I sent two of the captured Bushmen's women to the robbers, with directions to say, that if they discontinued their depredations no injury should befal them; but otherwise they must await the consequences of their temerity. The prisoners I have placed under the care of such persons with whom they can live without resorting to thieving. Seven of the horses above-mentioned belong to F. du Plessie and Putter, as stated in the report of the 17th August last, four to B. du Plessie, and one to C. Opperman.

I am, &c.

W. W. Harding, Esq., &c., Cradock. (signed) *S. J. Van Wyk.*

The above was of course communicated by the deputy-landdrost to the landdrost of the district, Captain Stockenstrom, whose reply I take the liberty of annexing.

Landdrost's Reply to the above.

Sir, Graaff Reinet, 20th September 1820.

I HAVE been favoured with yours of the 14th instant, enclosing copy of commandant Van Wyk's report of the recapture of horses taken by the Bushmen, and the attack of the plundering kraal.

Nothing can be more painful than to see those sanguinary examples, still occasionally necessary, but I feel confident that you will use every exertion to impress upon the minds of those who may be from time to time engaged in the same, that we consider those extremities only justifiable on the following principles. It is natural for them to try to recover what is taken from them, and what constitutes the support of their families. If in *this just attempt they meet with resistance,* there is no alternative between destroying the robbers, and being destroyed. But if on any occasion such as can be seized without risk be wantonly killed, and I find it out, as far as the laws enable me, or my representations to the government can avail, I will use every exertion to put it out of the power of the offender to repeat such excesses of revenge. I do not hereby intend to cast any censure on the commandant Van Wyk; on the contrary, it appears to me that he must have used great caution, as otherwise in the confusion of a conflict more women and children would have fallen; but I wish that the above sentiments may be on the mind of every commander of similar parties. They must recollect that the Bushmen, possessing no property themselves, are not sensible of the full extent of the crime of stealing, and that often absolute starvation is the only impulse; conciliatory measures whenever they can avail must be employed; they have contributed vastly to the tranquillity of the northern frontier. Let me beg of you, therefore, to be particularly watchful over the treatment of those which have been taken and now live amongst the farmers, and cautious to whom you entrust the orphans.

(signed) *A. Stockenstrom.*

In acknowledging the receipt of this letter the deputy-landdrost, whilst joining Captain Stockenstrom in deploring the necessity of such occasional attacks, and assuring him of his unceasing watchfulness over the treatment of such of this tribe as were living amongst the farmers, adds, "in the present case, it is my duty to bring to your knowledge the great and praiseworthy forbearance of Commandant Van Wyk and his party, who, though their cattle stood before their eyes, though every exertion was used to induce the robbers to restore or abandon them, though they were informed that the party came not to injure, but simply to recover what had been stolen, yet the only answer or satisfaction to be obtained was volleys of poisoned arrows, from which the commandant and his men endeavoured to shelter themselves with skins, hoping, though vainly, that reflection or prudence would induce the enemy to relinquish their plunder, and thereby set aside the dreadful necessity of firing, in order to regain their property and preserve their lives."

It may be as well that I should observe, with reference to the disposal of women and children taken on such expeditions, that in a letter dated 23d May 1822, the chief secretary, by the direction of Lord C. Somerset, calls the attention of Captain Stockenstrom to the practice of retaining the women and children, requires information respecting it, and adds,

It will naturally occur to you that there is much danger in permitting persons so circumstanced to be placed in servitude without great precaution, and without due authority, and it will also be manifest that the practice of retaining women and children can seldom be justifiable,

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justifiable, and ought never to take place without the greatest precaution for the future good treatment of these unfortunates, and prevention of the possibility of their merging into the class of slaves.

I have, &c.

A. Stockenstrom, Esq. (signed) *C. Bird.*

Captain Stockenstrom's reply of 5 June, and the chief secretary's answer of 21 June 1822, as they enter very fully into this subject, and are a very sufficient reply to Mr. Pringle's statement that "such of the women and children as survived the massacre were carried into captivity," I shall here take the liberty of annexing.

5 June 1822.

As to the general principle, however, upon which parties of the above nature are conducted, the taking of prisoners (especially women and children), the manner in which they are disposed of, and the authority upon which such proceedings are based, about which his Excellency is justly solicitous, I beg leave to give you the following information:

Without going back to a remote period of the existence of this colony, in order to find out the origin of Bosjesmen commandos, a review of which would reflect but little credit on those who first rendered those cruel expedients necessary, by being the first aggressors, and thereby exciting the revenge of those savages, we still cannot help allowing, that in the present state of our frontier, the constant depredations of that unfortunate race of people must be occasionally checked by some serious example, to keep our remote districts at all habitable. Experience has taught us, that prudence, forbearance and kindness, are the best means of keeping the mass of these savages not only on peaceable terms with, but also very useful to us, and every impartial observer will acknowledge that the present generation of colonists (with some exceptions indeed) show by their conduct to the Bosjesmen their conviction of this truth, and of the inhumanity of destroying them on every slight provocation.

An instance of this I have satisfaction of inclosing in the report of the deputy landdrost of Cradock, transmitting others of the commandant Van Wyk, and provisional field-cornet Steenkamp, by which his Excellency will perceive, that though a kraal was surprised with two long-known desperate robbers therein, and the stolen cattle found with them, nothing more was done than the seizure of the two ringleaders; and I cannot help thinking that some sort of reward to Steenkamp would be politic, by holding him up as an example of moderation, even under such aggravated circumstances.

Still there can be no doubt that severe alternatives are sometimes unavoidable, as in Van Wyk's case, reported in mine of the 9th ultimo, and in another distressing one, which has just reached me from Beaufort, as per inclosed copies, distressing because it is quite clear that the continued droughts and consequent misery among the Bosjesmen, are the principal causes of the accumulated aggressions which have of late taken place, an impression which has made me perhaps too averse to those commandoes.

Now, then, when a kraal has been thus attacked and dispersed, the bringing away of such men, women and children as surrender themselves or offer no resistance is a matter of course, or rather of charity. Indeed they will very seldom stay behind; for the desperate characters on whose depredations the kraal depended for subsistence having most generally fallen in the conflict, or escaped into the deserts, the rest would perish unless they did come among the farmers, upon whom they must be a burthen for some time, but who keep and feed them with a view to induce them, by kind treatment, to stay with them as servants; for it is perfectly understood at the present day, that they are under no restraint whatever. That when they do not like one master they can go to another; and when they wish to return and enjoy some peaceable kraal of their own tribe, they cannot be prevented. By these means, numbers of them, at last finding an abode that they like, become the most useful herds, assist the farmer in every other business, till at length they are as it were confounded with the Hottentots; often bind themselves voluntarily by contracts, and enjoy the full protection of the laws, which indeed they do from their first coming among the colonists; objects which in my humble opinion are very desirable as the first steps towards their improvement. That the above system was once liable to be much abused I have every reason to believe, and it was against such abuses, among others, that my representation of the 5th May 1817 was levelled; but I am convinced that the proclamation to which that representation gave rise, is the most effectual barrier government can oppose to those abuses.

I have, &c.

Lieut.-colonel Bird. (signed) *A. Stockenstrom.*

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Sir, Colonial Office, 21 June 1812.

With reference to your letter of the 5th instant on the subject of the employment of the Bosjesmen women and children, I am directed by his Excellency the Governor to remark to you, that although he cannot but approve your general style of reasoning on this delicate subject, it nevertheless appears to him that there requires some more effective regulations in your district than seems at present to exist in cases where these unfortunate people are brought to or come into the colony under such circumstnnces as you have represented; it seems therefore desirable, that a return should be framed of what persons of this class are

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at present in employ in the district, and with whom, and that in future where any are taken into the service of farmers or others, they should be separately registered in your office, and subsequently only employed under contract, as in the case of Hottentots. His excellency desires therefore that you will be pleased to make arrangements for carrying this recommendation into effect, and transmit as soon as you have it in your power to do so, a copy of the regulation you shall have framed for his excellency's information, with a copy of the return above described; and his excellency further desires, that a return may be from time to time (say every six months) sent to the office, of such other persons of this denomination as shall be under any circumstances brought into our limits and placed in employ, stating with whom they are serving, and for what time.

I have, &c,

A. Stockenstrom, Esq. (signed) *C. Bird.*

Now before I proceed to the third case that Mr. Pringle has adduced in support of a remark which closes his account of Van Wyk's commando, viz. "Scores of such expeditions have taken place since, and the system continues to this very hour" (1834!) "but little, I fear, if at all, abated in its enormities," I will take the liberty of introducing this same gentleman in his character of a settler on the frontier, with the danger at his own door. In his "Sketches," Mr. Pringle states, that in the beginning of October 1821, he and his party were "somewhat alarmed by the discovery of a band of predatory Bushmen lurking among the rocks and caverns of the wild mountains," between their location and the Tarka; that Lieutenant Pettingall, who was then "in our valley, discovered this horde in searching for some of his horses that were missing; went out with an armed troop in pursuit, and came upon a party of these wild marauders in one of the most savage recesses of the neighbouring mountains, at breakfast on a grey horse, steaks roasting on the fire, cut out of the flank, with the hide still upon them. Pettingall, enraged by the loss of his best blood-horse, poured in a volley upon them, but apparently without effect, for they all scrambled off with inconceivable agility among the rocks and bushes; he recovered, however, some of his own horses, and eight belonging to our neighbour."

Now there is no expression of horror here, when "we" are "alarmed" and "our valley" endangered by the wild marauders; on the contrary, the "armed troop" with which Lieutenant Pettingall pursues them, is readily supplied by, and the application to the "kind consideration" of the deputy landdrost for "a party of farmers" to "assist us in hunting them out," proceeds from this same Mr. Pringle in 1821, who in 1834 asserts of the frontier colonists that "be they Dutch or British, they must of necessity continue to be semi-barbarians so long as the commando system, the system of hostile reprisals, shall be encouraged or connived at."

I shall here add the letter containing the "application" I have above alluded to.

Sir, Twistdale, Baviaans River, 7th October 1821.

I BEG leave to state to you that we have discovered a considerable party of Bosjesmen, lurking in the immediate vicinity of this location, among some wild ravines betwixt us and the head of the Zeakoe Kloof, but from the exceeding ruggedness of the country, we find ourselves unable to get at them without assistance.

Last night Lieutenant Pettingall, who is completing the Government survey of this river, sent me information, that some of his men, in searching for horses he had lost, had fallen in with this horde, and that two men (who are still missing) he feared had been murdered by them. I immediately collected nine men, mounted and armed, and sent them to Mr. Pettingall, who having added some of his own people to the party, attempted to surprise the Bosjesmen. This morning early he came upon them at breakfast (on one of his own horses apparently) and recaptured eight horses belonging to Wentzel Coetzee; but the Bushmen instantly betaking themselves to the thickets, he did not succeed in killing or capturing any of them.

We propose to make another attempt upon them to-morrow; but as they may have probably shifted their quarters, and as it is supposed that they have stolen many horses from the Tarka, I respectfully submit to your kind consideration, whether such a party of farmers as can be hastily collected in that quarter, might not be sent to assist us in hunting them out, particularly as it is a public concern, and we have in fact as yet sustained no loss by them as far as we know.

I have not seen Mr. Pettingall since his return, but I suppose he will also write you on the subject as soon as he has ascertained the fate of his two men.

In order to lose no time I shall transmit this to Wentzel Koetzee to be forwarded to you by express.

I have, &c.

W. W. Harding, Esq. (signed) *Thos. Pringle.*

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Whether this well-intended attempt at a "legalized butchery of the Bushmen race" succeeded, I know not; but at least if it did not, it was not the fault of Mr. Pringle, whose conduct and feelings in his capacity of settler in 1821 I shall here, in another instance, contrast with his writings in 1834. I find by an extract from his journal, that immediately on taking possession of his location, he applied for, "to the magistrates of our district, Captain Stockenstrom and Captain Harding," the means of defending himself; and "they assure me that 10 armed Hottentots will be speedily placed under my orders." They accordingly arrive, and "we are thus relieved from the necessity of keeping nightly centinels of our own body, and from any apprehensions of being surprised by marauders from the west country to the eastward, all well armed, expert in the use of the musket, and drafted for this particular duty from the service of the Dutch-African colonists, to whom all of them were under contract, and were supplied with provisions at the expense of the district."

Now I must remark *en passant*, that these Dutch-African colonists stood probably in as much need of their "contracted Hottentots," for the purposes of defence, &c. as Mr. Pringle, who only a month before he addressed himself to the "kind consideration" of the landdrost "to collect a party of farmers to assist in hunting out" the Bushmen, when the field-cornet of his district ordered his (Mr. P.'s) contracted Hottentot on patrol, as it was his bounden duty to do, in pursuit of horses which the Bushmen had taken away from his neighbours, immediately preferred a complaint against him for so doing!

This party of contracted Hottentots was, it appears, subsequently relieved, upon Mr. Pringle's application, by a detachment of the Cape corps. Mr. Pringle, however, was not contented with the services of these soldiers in their military capacity, but wished to employ them in the performance of other offices not exactly within the range of a soldier's duty; he offered to pay them, it is true, but not, indeed, in that coin which was likely to improve their habits as Hottentots, or their discipline as soldiers; the detachment, however, was refractory, and would not be so employed; and the same Mr. Pringle, who in 1834, when eulogizing the conduct of the Hottentots, after their emancipation by Major-general Bourke, remarks "that some hundreds out of the mass should have become the victims of the habitual intemperance to which the white inhabitants of the district towns continually tempted them by paying them for labour with ardent spirits (I state what I have with my own eyes a thousand times witnessed) is surely no great marvel," addressed a letter, from which the following are extracts, to Captain Stockenstrom, whose reply was, no doubt, as it necessarily must have been, that he, the civil magistrate of the district, could not order soldiers to perform the required work, whether paid "in money" or "in brandy:"

"Baviaan's River, Feb. 7th, 1821.

(Extract.)—"I want to build a fire-proof hut, in the event of disturbances; our people are busy, and I cannot get hands, unless you authorize me to employ our Hottentot guard upon it a few hours daily. I would gladly furnish an allowance of tobacco and brandy, and some pecuniary recompense also; but these inducements (without the authority to demand their labour at stated periods) I find insufficient to overcome the indolence of this unenergetic race. Hitherto I have never asked their assistance in any work, without paying them for it, but they have at length become so lazy, and so unconscionable, that I can make nothing of them! The only point in which I have ever exacted their service, was in assisting us to take care of the cattle occasionally, and this they have made some grumbling about. If you think, Sir, I have done wrong in exacting any assistance whatever—even though paid for—be so good as to let me know. If otherwise, have the kindness to tell the bearer, and through him his comrades, that my orders must not in any case be disputed. I trust I am incapable of abusing such a favour, which, however, seems requisite for maintaining my authority."—(signed) *Thomas Pringle.*

*P. S.* "To give you an instance of my trouble with these men, I may mention that I ordered one of them to ride down with Mr. S.'s servant, to look for his master; whether it was from fear I know not, but not one of them would move. One said he was sick; another that his horse was tired; a third absolutely refused, until I threatened that I would report them to you, when one went. Permit me to remind you of your obliging promise to look out for a Bushman-boy for me; it would be a greater favour than I can easily express, as all my endeavours to engage Hottentot servants have hitherto been unsuccessful."—*T. P.*

To Captain A. Stockenstrom, Landdroost.

Mr. Pringle prefaces the third of the "illustrations, not before published," with these

these words, "atrocities still less excusable, because altogether wanton and unprovoked, are even now perpetrated with impunity."

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"In November 1829, a commando went out against a horde of Bushmen near the Sack river, who were reported to have been guilty of some depredations. The party did not, however, find the horde they were in search of; but in returning, they came upon another horde who were at that time living in peace with the colonists, and who were not accused nor suspected of having been guilty of any offence. This kraal they thought fit to surprise, and shot seven of the unsuspecting and unresisting people in cold blood. As the party returned from this doughty exploit, a Bushwoman was observed lying near the path, wrapped up in her caross, apparently asleep. The commander, without uttering a word or asking a question, levelled his musket and fired. The caross heaved up, and an aged female, in the agonies of death, rolled out of it. And the party rode on without considering the matter worthy of even a passing remark! Now, the facts of this horrid murder have been substantiated upon the oaths of several of the persons present, and the official documents, as I am assured upon authority which it is impossible for me to doubt, are now, or at least were very lately, in the possession of Mr. Oliphant the Attorney-general at Cape Town. But for reasons of which I am yet ignorant, no punishment whatever has been inflicted upon the persons implicated in these transactions."

This is the commando to which Captain Strockenstrom has adverted in his evidence as having been authorized by the Governor without previous communication with him.

Now, on this point I must remark, that Captain Stockenstrom, when he left Cape Town to proceed to the frontier, must at least have been perfectly aware that depredations to a considerable extent, accompanied by the most horrible murders, had been perpetrated by the Bushmen on the Graaff Reinet and Beaufort frontiers, for the accounts of these recent barbarities, and of others that had taken place during the preceding year, had been detailed in the public papers before his departure.

Captain Stockenstrom preceded the governor on his journey to the frontier, in September 1829, and when *en route*, a despatch reached him respecting a reported invasion of the eastern frontier by the Caffres, which hurried him on. Sir Lowry Cole went round by Beaufort for the express purpose of investigating the circumstances connected with the atrocities alluded to, which having done, he authorized the proper officer—the civil commissioner of the district—to assemble a commando, for the purpose of punishing their aggressions, and endeavouring to recover some of the property of the inhabitants.

I shall now proceed to state some of the facts of this case. Sir Lowry Cole having authorized the commando, it was directed to assemble at Slange Fontaign, in the Nieuweveld.

On the 1st November, the civil commissioner writes from the above place to the secretary of Government, that the expedition is preparing, and adds, "I shall in the meantime make the best arrangements I can for the safety of this part of the district, as I have reason to apprehend that the Bushmen, should they become acquainted with our movements, may, by a circuitous route, avoid the commando, and come into the colony." Further, that he "regrets to state, that (he) found the inhabitants in a very lamentable and desponding state; all the farms between this and the border, a distance of 80 miles, and along the whole border line, in a northerly direction, about 44 in number, are abandoned, and the crops of many of them, which, I have been credibly informed, looked very promising, must now be entirely destroyed for want of irrigation."

"Upwards of 50 horses have been killed by the Bushmen; depredations to a very great extent have very lately been committed, attended also with murder."

"A patrol had a skirmish with a party of Bushmen, and one farmer was wounded."

"The Bushmen seem determined to defend themselves. They get into the mountains and behind rocks, whence it is extremely difficult to dislodge them."

"They have attacked and wounded C. Eylders, and his wife and child, who are still very ill. They succeeded in carrying off at this time between 1,100 and 1,200 sheep and goats, the property of Eylders and Maritz, the latter having lost nearly all he possesses."

The civil commissioner anticipated great difficulties, chiefly "from want of water;"

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water;" but the burghers, he stated, are prepared to meet all these, in hopes that the measures taken may be the means of ensuring their future safety on their farms, and at the same time prove beneficial to the unfortunate Bushmen.

From the next despatch of the civil commissioner, dated November 5th, it would appear that he was not mistaken in his apprehensions, for he reports that "a most daring attack was made yesterday morning upon a place where one of the fugitive farmers had taken refuge, about two and a half hours' journey from the rendezvous of the commando, by about 10 Bushmen, who had carried off 1,200 sheep in the face of the party stationed there."

On arriving on the spot with seven men, the family were found "in the greatest consternation, the women almost frightened to death;" the stock taken belonged to a person absent on commando; they were in a kraal close to a temporary hut and waggon occupied by Estherhuizen, who, on hearing a noise in the middle of the night, looked out, and seeing the sheep driven away, called out to know who was there, but was only answered by a shower of arrows; he fired without effect, and being separated from the waggon containing his ammunition, by the Bushmen, stood under shelter of the hut which contained his wife and children, until he could move with safety; a lame man in an adjoining hut also fired from the door, but was afraid to venture out; the Bushmen called to them to come out if they dared! Mr. Van Ryneveld found 66 poisoned arrows, several of them still sticking in the tent of the waggon and hut; a dog was lying dead with an arrow in his body. A party followed these depredators in the morning, killed four of the Bushmen, took one prisoner, and recovered all the sheep, with the exception of 77, which were destroyed by the Bushmen. "It was," says Mr. Ryneveld, "a most lamentable sight to see the track we followed strewed with the dead sheep. It appears that these people never leave behind them alive any cattle which, from fatigue, cannot go on, but invariably kill them with poisoned arrows." "It is quite surprising at what a rate they must have driven the sheep, as it was not till after three hours hard riding that they were overtaken, which was on a high and rocky hill."

"The party coming upon them suddenly, threw them into great confusion, they dispersed, and got behind the rocks, whence they showered their arrows upon the burghers, who were obliged to fire; four were killed, and one taken prisoner; the rest of the Bushmen got away in the rocks; none of the burghers were hurt; one had a narrow escape; an arrow passed through his jacket, and stuck in the stock of his gun. I brought back with me 200 arrows."

"The prisoner informs me they belong to a kraal a few hours beyond the boundary. They were sent into the colony to fetch cattle. He will not say how strong the kraal is. I shall keep the prisoner with me and treat him kindly, as he may be of great service in endeavouring to make peace with the kraal: this, however, I do not think I shall be able to effect, without having first struck terror into them, which, from their very bold and daring attacks upon the colonists of late, is quite unavoidable. His excellency may, however, rest assured that I will not sanction any unnecessary bloodshed."

The civil commissioner had not yet, on the 5th November, collected a sufficient force to proceed with, and reports, that "the field-cornets complain of the disobedience of some of the burghers, who refused to come out, in consequence of which I shall not be near so strong as I expected, and the duty will be very hard upon those who do go."

"The field-cornets state, that those who refuse, say they will much sooner be tried in the magistrate's court, and pay a fine of a few pounds than go on commando;" he adds, "the backwardness of the farmers in serving on commando should be taken into serious consideration, for, unless the armed burghers are made promptly to obey the orders of the civil commissioner, when conveyed to them, either by himself, or through the field-cornets, it is impossible to answer for the safety of such an extensive frontier line against the invasion of any of the numerous tribes beyond it."

"The penalty, in my humble opinion, should be made very severe, besides imprisonment for a certain period, in the event of their refusing or neglecting to appear, when called out in cases of emergency."

On the 13th November the civil commissioner had reached the former habitation of a farmer, named Lewis Nell, who had been murdered there the year before,

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before, with almost the whole of his family; all his property, consisting of 2,000 sheep, oxen, waggon, &c., being at the same time carried off. From hence the civil commissioner "resolved to proceed to those kraals of Bushmen to which the sheep and cattle recently stolen, as also the men who had killed the horses, had been traced."

After travelling on these traces for two days, it became necessary to travel by night. In the course of the second night's journey, some of the party sent in advance to reconnoitre, returned, and reported having seen fire, apparently of a Bushmen kraal, about 15 miles off.

For this spot Mr. Van Ryneveld proceeded with the field-commandant and 20 men. "The Bushmen must have fled on perceiving us; we found some flesh and skins of wild animals, some reeds and new made arrows, and some poison. The poison I caused to be put under ground, but the rest of the things I left undisturbed; for, conceiving them, perhaps, to be peaceable, well-disposed Bushmen, I thought that taking away what was their lawful property, might tend to inflame their minds. I followed the traces of, apparently, three men, but lost them among some rocks on a hill."

"On returning to the commando, I heard that a Bushmen kraal had been seen in a northerly direction, at a distance of about seven hours on horseback from here, and another in a N. E. direction, three hours distant.

"*The Bushman prisoner informed me that these kraals were under a captain named Platje, to whose kraal the people had been traced who so very lately killed so many horses belonging to the colonists. I found it necessary to divide the commando into two divisions, one of which I gave in command of provisional field-commandant Jacobs, and the other I headed myself.*

"On arriving at the place where a kraal was reported to have been seen, in a N. E. direction, I found it deserted, which gave me reason to surmise, that the three Bushmen we had traced had apprized them of our movements. They had gone off in different directions, so as to evade the possibility of being traced; I, therefore, gave it up, and returned to my camp," (where I had left the ammunition and provision waggons, under a strong guard,) to await the result of Mr. Jacobs' expedition. This morning at 10 he returned with his party, (about 50 men) and reported that he arrived at the kraal, to which he had been sent, at day-break yesterday morning, about four hours beyond the boundary. He states, that it appeared as if the Bushmen had been informed of the approach of the commando, for they were perfectly prepared to receive them."

"Mr. Jacobs had about 50 burghers with him," says Mr. Ryneveld; "he rode towards the kraals with about 10 men, and sent the remainder round a hill to get at the kraal in an opposite direction. When the Bushmen saw him with so small a force, they remained stationary; but when they saw the commando approach on the other side, they fled to a hill immediately behind the kraal, where they stationed themselves behind the rocks. On the approach of the commando they were received with a shower of arrows, when three horses of our people were wounded. One on which the field-commandant rode was shot with an arrow through the body, the arrow having grazed the calf of Mr. Jacobs' leg. The fight continued warmly contested for a considerable time. The Bushmen being behind the rocks, it was extremely difficult to get them out of it. Seven Bushmen were killed, and I regret much to say also a Bushwoman, a circumstance which, the commandant says, is entirely owing to accident. She had on a kaross, and had, unfortunately, instead of going with the other women, who had fled on the first alarm, joined the men in the rocks on the hill. The kraal was not very numerous, but how many there were, the commandant says it was impossible to ascertain."

On the 9th December 1829, Mr. Van Ryneveld reports from Graaff Reinet, that he had returned from the Bushman country, having been obliged to abandon the attempt to "push on to the large kraal, as was my intention, when I had the honour of addressing to you my letter of the 13th ult., from the Klein Fontein. I left that place the next night, and travelled in a N.W. direction, until the 18th, when one of the spies, who had been sent in front to reconnoitre, returned, and reported that they had seen a drove of cattle coming in a direction from the colony."

"On the afternoon of the 19th," he continues, "we came up with the stolen cattle, and found nine oxen alive, and five lying dead, destroyed by

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by the Bushmen, who had fled, the marks of their footsteps (the spoor) being still fresh; to follow up their traces was totally impossible, as not a drop of water could be procured, the Bushmen having thrown poison into the only pool of water which we found on the place."

"On the morning of the 21st, I received a report from the colony that the cattle, of which we had retaken a part, had been stolen from a farmer, named Kruzer; two of this person's herdsmen had been murdered upon this occasion."

The party proceed slowly on the spoor, until they reach a place called the Paarde Kloof, about 60 miles N. W. of that part of the Karoo mountains which forms the boundary of the colony, where, finding "tolerable water, and feeding for the cattle," they halt to refresh, and, in the meantime, send out a party on foot, carrying water, in skins, on a pack ox. This party returns, after having been out three days and nights, with the tidings, that "not a drop of water was to be procured, and that, had they not been supplied from the skins, they would not have been able to have gone the distance of half-a-day."

The magistrate availed himself of this halt, to endeavour to communicate with a small kraal, at a short distance from his encampment: for which purpose he arrives at the kraal, with a small party, before day-break; but "the repeated and daring outrages committed by the Bushmen upon the colony of late, had naturally made them fearful of encountering the colonists;" they fly as soon as their dogs begin to bark. "We found an infant, about eight months' old, thrown away by its mother; also a boy apparently three years old." After a long march two women are found, are supplied with food and tobacco, and, while one woman is sent on a vain endeavour to bring the men to a parley, the other, with the children, is kept at the camp till her return, when the women and children, together with the Bushman prisoner, who had hitherto acted as a guide, are dismissed, with as much food as they can carry; "this being the only means I had of conveying the sentiments of the colonial government, at least, to some of that much-to-be-pitied, though desperate race." "It would have been an easy matter to send a party after the men, who were lurking in the neighbourhood, knowing the women and children to be with us; but as I felt certain that they would have attacked our people with poisoned arrows, and the result would have been bloodshed, I thought the other course more advisable."

After taking the precaution of ordering a certain number of farmers to hold themselves in readiness for service, on the borders of the Bushman country, the commando are dismissed.

To the above narrative, which has been carefully prepared from the official Reports on this subject, by a gentleman incapable of mis-stating a single word or occurrence, I shall add the following summary, taken by the same individual from the depositions of eight witnesses, who were examined preparatory to the intended trial of the field-cornet Jacobz for the murder of the woman; and which did not take place, only because the legal authorities were of opinion, as already stated, that the courts had not jurisdiction in a case of outrage committed beyond the frontier.

On the evening of the 9th November, Field-commandant Jacobz and about 50 men were sent from Klein Fontein with the Bushman prisoner as a guide; this Bushman guide belonged to the kraal attacked, and undertook to conduct the party to the haunts of those Bushmen who had attacked the farm of Esterhuisen; after riding the whole night through, the party found themselves at a spot called "the Brak," where, from the uncertainty of the traces, they were divided to search for the enemy in a country of rocks and low bushes; repeated orders were given by the commander (Jacobz) in case of a fight to spare the women and children as much as possible. The party led by Jacobz found a kraal about 2,000 yards from the Brak; the women and children separated themselves from the men and were unharmed. "The Bushmen concealed themselves in the holes and among the rocks and bushes, whence they shot their arrows at the farmers," two horses (one witness says three) were wounded, and after a fight which lasted from day-light till afternoon according to some witnesses, and half a day according to others, seven Bushmen, out of whatever number may have been engaged, were killed, in their strong holds adjoining to their kraal. While still engaged in searching for concealed enemies

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in this manner, and while a portion of the burghers were for this purpose returning towards the kraal, not by a path, but through irregular ground, which made it necessary to walk their horses, and when about 150 yards from the spot where the last Bushman had been killed, and about an equal distance from where the first had fallen, something was seen "behind and half under a bush," which induced one witness to call out "There sits a Bushman!" another, to leap from his horse and prepare to fire, "supposing it a Bushman who might fire at me;" another to "suppose it a Bushman, because I imagined they had crept away under the bushes and stones in all directions" (which appears not to have been the case with the women and children first seen and distinguished, and therefore unharmed) and which induced Jacobz, the commander of the party, who was one of the nearest to the object, to take aim at it from horseback, and fire, before the person who had dismounted for the same purpose had cocked his gun. It was discovered with silent astonishment that a woman had been killed, and the party continued their search.

The first expression of opinion on the subject was one of regret, that this wretched woman should have been killed, after the party had so far succeeded in avoiding unnecessary bloodshed. It was the expressed feeling of the party, that since the misfortune had happened, "it was well that it had happened by the hand of the commandant, as it might otherwise have been imputed to spite," and it was the expressed feeling of the commander himself, that he "was glad the unfortunate shot had been fired by him, for that, if it had been done by a burgher, the civil commissioner or he (Jacobz) might have doubted whether it had not been done willingly."

Now I beg of the Committee to constrast the above account with that of Mr. Pringle; for myself I shall adopt the comment of the gentleman I have already alluded to, and with which I shall close this narrative of the commandos.

Such is the substance of the evidence, in as far as there is no discrepancy. Witnesses examined at different times, and all 12 months at least after the event described, cannot be expected to agree in every point; but in this case the only difference is, that those witnesses who were not present when the firing commenced, having been detached in another direction, speak of the distance of the spot where the woman was killed from the Brak, the original point of separation, and might be understood to say that the party had moved 2,000 yards from the field of battle before the unfortunate shot was fired, and it would seem that this colouring was designedly given to the transaction by one of the first witnesses; from which may be fairly inferred, that feeling of personal ill-will, which renders it actually surprising, that if, in the facts, or in any portion of the evidence upon this case, a single circumstance had appeared which could redeem Mr. Pringle's character, by furnishing a pretext, however slight, for his gratuitous colouring, no trace or vestige of that circumstance should be found in the voluminous evidence taken during a protracted and vigorous scrutiny, conducted by one of the most zealous and efficient public prosecutors in this colony.

It is enough to say, that all the evidence goes directly against the allegations conveyed by the words "unsuspecting," "unresisting," "cold blood," "a Bushwoman was observed" and "near the path," "apparently asleep;" that there is not a word to be found, from which the age of the Bushwoman can even be inferred, though the effect of the picture is materially heightened, by rolling over "an aged woman in the agonies of death," and if there is, in the whole process, one single word which can save from the utter reprobation of every honest man the atrocious insinuation contained in the words "without considering the matter worthy even of a passing remark," I call upon those within this colony who have vouched for the truth of this "tale," and cited it as the most favourite among their "specific, distinct and overwhelming proofs of national criminality," to point out that word.

*T. F. Wade.*

*Lunæ*, 2° *die Maii*, 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Pease. |
| Mr. Charles Lushington. | Mr. William Gladstone. |
| Mr. Wilson. | Mr. Andrew Johnstone. |
| Mr. Hawes. | |

MR. FOWELL BUXTON, IN THE CHAIR.

Colonel *William Cox*, called in; and further Examined.

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3559. *Chairman.*] AT what time did you leave the colony?—On the 24th of November last.

3560. Had any assignment of the new territory been made at that time?—I know a number of applications had been made to his excellency, but I believe he had not decided upon any till the decision of the Home Government was known relative to the permanent occupation of the country.

3561. You are not aware that at the time you left the colony any appropriations of land had been made?—No, none whatever. I remember his excellency telling me that a number of applications had been made.

3562. Was the number of applications made very considerable?—Yes, it was, by the farmers and the boors. I saw a number of petitions myself from the boors that served under me in the commando; and even as far down as Cape Town they were very anxious to possess some of the territory.

3563. Was there not a general wish and desire on the part of the boors to become proprietors of that territory?—A very great number.

3564. Do you conceive that there were applications enough to have absorbed the whole territory?—I conceive so, as far as the Buffalo River.

3565. Do you know for what parts the applications were made chiefly?—A good deal on the banks of the Chumie and the Buffalo River and Deeby Flats, and all along from the Kat River down to the sea.

3566. Mr. *C. Lushington.*] Are the Committee to understand by your expression, that these applications would absorb the whole country; that they were exclusive of the grants to be made to the Caffres?—The Caffres are not to be allowed to occupy on the right bank of the Buffalo; they are to remain entirely on the left bank, and on the left bank of the Chumie.

3567. Will you have the goodness to describe more specifically the tracts of land which it is proposed to assign to the Caffres under the last treaty?—Under the late arrangement the governor proposed to allow them to occupy as far as the Chumie River, where it joins the Keiskamma, and then again upon the left bank of the Keiskamma to Burn's Hill, and then all along down to the sea, upon the left bank of the Buffalo River. They were not to come to the right bank of the Chumie or of the Keiskamma, but on the left from the range of hills all the way down to the sea.

3568. Can you specify the extent of land which was so assigned?—It is of very considerable extent; the whole way from the Buffalo down to the Kei.

3569. What area of square miles do you suppose it includes?—The distance from the Buffalo to the Kei is between 30 and 40 miles broad, and about 70 long.

3570. What was the number of Caffres that it was expected would be so located?—The whole of the tribes that had occupied that country to the sea.

3571. What tribes?—Macomo's and Charley's, and all their people; and Gaika's tribes to the north-east of 'Tsambie's towards the sea.

3572. That is the whole of the Caffres, with whom we have been in hostility?—Yes, with the exception of Hintza's, who possess the country upon the left bank of the Kei.

3573. *Chairman.*] Do you conceive that it was possible to drive the Caffres out of the fastnesses of their own country, without a considerable augmentation of troops?—I think it might be done by the troops then in the colony, with the assistance of the farmers; but it would take considerable time and very enormous expense.

3574. Would not there be a probability of the Caffres remaining when the military force had returned home, and again occupying the fastnesses?—Certainly,

tainly, in mountainous parts of the country they would always be able to do that.

3575. Is it a mountainous and hilly country?—From the Katberg to the sources of the Kat and Keiskamma and Buffalo River are mountainous.

3576. Do those mountains and hills abound with woody ravines and defiles?—Yes, amazingly strong ravines and klooffs and fastnesses.

3577. Then the Caffres when pursued by British troops can take refuge in those inaccessible fastnesses?—Always in the ports of the Buffalo to an enormous extent. I suppose that 50,000 Caffres may conceal themselves in the ports of the Buffalo, but they are still allowed to occupy that range of hills.

3578. Did you find it difficult to dislodge them from those fastnesses?—Yes, we could not get at them at all in those amazing strong fastnesses and ravines.

3579. Do you consider that it would require a very large body of troops in order to keep the Caffres out of that new district, which it was the intention of the governor to appropriate to British settlers?—No; the part that I said was applied for does not include that strong country; the part that has been applied for by the farmers is on the right bank of the Buffalo, and does not include that strong country. The Caffres are still allowed by his excellency to possess that country.

3580. Supposing that 50,000 Caffres could conceal themselves in the strong country on the left bank, would it not require a very strong military force in order to be prepared at any time to check their expeditions into the country on the opposite bank?—Decidedly it would require a very strong force, and a very considerable length of time.

3581. If you had been required to go on with the system of expulsion, do you think it would have been a difficult process, one requiring time and a large number of troops for its full accomplishment?—Yes, it would.

3582. Do you think it would have required not only a large immediate force, but a large force constantly kept up there, in order to prevent the return of the Caffres into the country?—Yes; I think it would require a strong chain of posts upon the Kei, and a large force to have kept them out; but by the present arrangement they are easily kept out, because there is a chain of posts on the right banks of those rivers to the sea; they can now be prevented from coming into the colony at all. To the right again of those posts there is the strongest country possible, the klooffs of the Keiskamma and upon the Fish River, which now they are expelled from.

3583. So that there being a very strong country, abounding with fastnesses upon the Caffre side, and a very strong country, abounding with fastnesses, near the Fish River and Keiskamma klooffs, the system adopted contemplates the permanent employment of a considerable body of troops to prevent the Caffres from passing from the country which they now inhabit, into that from which they are now expelled?—The present system is not a very great body of troops, but a system of posts communicating with each other.

3584. Do not you think that it is one thing to keep them out now, after they have experienced such severe chastisement, and another thing, after this event shall have been in some measure forgotten, to prevent their return in smaller bodies into the colony?—I do not think they would attempt anything of the kind, because the country is so perfectly well defined; they are perfectly satisfied with the present arrangement; they consider themselves much better off than they ever were.

3585. Do you think they can consider themselves much better off than they ever were, when, instead of having the whole of their country for the pasture of their cattle and for provision-grounds, they have only a section of their country?—I think they have still country enough, because they always pressed upon the colony; if you give a Caffre ever so great an extent of country, they will always press close upon the colony, for the sake of plunder; they would not go to the rear although they had five millions of acres of ground; they would press upon the colony, in order to get as close as possible upon the farmers, to plunder with the greater facility; that was always their objection to go away from the ceded territory, because it kept a space between them and the colonists.

3586. Do you think that that inclination to press upon the colony and to plunder the colonists will be abated by the loss they have sustained of so large a portion

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a portion of their territory?—I think they are now so circumstanced that they cannot do it. There are a number of posts established, and in such positions that they cannot do it.

3587. How many posts are there established to prevent the inroad of the Caffres?—About eight or nine.

3588. What extent of country are these over?—It extends about 150 miles.

3589. Then the present plan contemplates such a force upon those 150 miles in extent as shall prevent the Caffres from coming in small bodies across the frontier?—It would prevent their returning with stolen cattle; they can always come in. Caffres can go at night near any post, but they cannot return with stolen cattle with facility; they would have considerable difficulty; they can creep in at any time in small numbers.

3590. Is each of those locations so strong, and is there such a body of troops at each, as to prevent the inroad of the Caffres, supposing they should come in a considerable body?—Certainly; there are from 100 to 300 men in most of them, some more and some less. I had between 200 and 300 at my own post; they can communicate with each other, and can always collect a sufficient body of people to repel any aggression.

3591. Then there being seven of those locations; they would require from 1,500 to 2,000 troops constantly employed?—I should think they would require certainly from 1,500 to 2,000 upon the frontier. It would not be necessary to occupy the posts with that number of troops; but they must have troops in the vicinity of Graham's Town in the rear to relieve those troops.

3592. If each location required from 100 to 300 men, and there were seven of them, would it not require the constant employment of 1,500 men?—Upon the frontier, I should say, certainly.

3593. At military posts?—Yes.

3594. Must not you in addition to that have a constant force at Graham's Town, or in the vicinity, in order to relieve those troops?—You should certainly.

3595. You have stated that the Caffres continually pressed upon the colony; but was there not in their country behind a considerable population?—No; I think there was quite country enough for the Caffres, if they had chosen to have remained at a distance. They very often come near the colony for their own security, for such is the nature of the Caffres, that they steal from each other, and they felt a degree of security in being close to the colonists. I have been told so by themselves frequently.

3596. You consider that it is the nature of the Caffre to be a thief?—Yes; when a young man wants a wife he steals cattle; it is their habit.

3597. Are you aware that when the Europeans first had intercourse with the Caffres they were described as an innocent and well-conducted body of people?—I have been acquainted with the Caffres for 10 years, and they have not varied in their character an atom from the first day I went there to the day I left the colony.

3598. What is the extent of country that was proposed to be taken from the Caffres by this last arrangement?—It extends from the Keiskamma to the Buffalo River, and to the Chumie upon the north. I am not prepared to form an opinion as to the extent of the ground. Some of the natives are better off than they were before. Macomo himself is better off; he told me so. It is from the Keiskamma to the Buffalo River; all that country is taken from them now, and along the Buffalo to the sea. There is very little taken from them to the north, so that it is but from the Keiskamma to the Buffalo River.

3599. You are aware that, in the first instance, it was contemplated to extend their frontier to the Kei; now, what would be the extent of country, taking the Kei as the boundary?—There is a very considerable extent. The object of his excellency, in the first instance, in putting them beyond the Kei, was to embrace the whole of that wooded country. It would have been very difficult to have got them out of it, and it would have required a much larger force to have kept them out of it.

3600. You are aware that in the proclamation of the Governor, dated the 10th day of May 1835, there is this passage: "I now, therefore, in the name and behalf of His Britannic Majesty, do hereby proclaim and declare, that the Eastern boundary of the colony of the Cape of Good Hope is henceforth extended eastward to the right bank of the Kei River, its new boundary effected

effected by this extension being henceforth the line commencing at the source of the Kei River, in the Stormberg mountains; then following its course along the right or western bank, through the White Kei into the Great Kei, and thence to the mouth of the latter. From the aforesaid country they have lost, by the operations of the war which they have so wantonly provoked, and which they have justly forfeited, the abovementioned chiefs, namely, Tyali, Macomo, Eno, Batheno, 'Tsambie and Dusham, with their tribes, are for ever expelled, and will be treated as enemies if they be found therein. God save the King. By his excellency's command. *H. G. Smith.*" Will you state what would be the extent of the country which is included within those boundaries, from which the inhabitants were to be dispossessed?—It comprises the whole of the country from the Keiskamma to the source of the Kei, and it runs up to the Stormberg, which was the point of boundary before. The Stormberg mountains were before one of the boundaries of the colony; it took the extent of country from the mouth of the Keiskamma to the mouth of the Kei, running up to that point.

3601. What would be the breadth and the length of it?—The breadth at one point, I should think, would be 150 miles towards the mouth of the river, and the length nearly the same.

3602. Mr. *C. Lushington.*] Was there any public notification made of the alteration and proclamation as just quoted?—Yes.

3603. Have you got that paper with you?—No; but I know there were public orders. I have not brought the orders with me; but I know there were public orders. It was pointed out by myself to the chiefs before the conclusion of the war, and fully pointed out in general orders: copies of all the general orders are sent home to the Horse Guards.

3604. It was intended that Gaika's widow and his sons should remain?—Yes; the widow of Gaika and the widow of 'Tsambie, and their families, were excepted in the proclamation.

3605. *Chairman.*] Has the governor's order notified publicly the boundaries of those lands which the Caffres are now to occupy?—Yes, he has fully described them. Before I left the frontier, commissioners were appointed to locate the Caffres, and to point out the several districts to them; and they had commenced their labours before I left the frontier.

3606. Can you furnish the Committee with a copy of the governor's order?—Yes.

3607. Was the whole area of the country, from the Kei to the Keiskamma, to the extent of 7,000 square miles?—I cannot say; I should think it must be very nearly that.

3608. Was it not a district very nearly as large as England?—I do not know exactly the extent of England; about half of it, I should think.

3609. As large as Ireland, perhaps?—Not nearly so large; it narrows considerably as it gets up to the Stormberg; but his excellency has allowed them to occupy half of that.

3610. Has it come to your knowledge that the farmers and boors are migrating northwards and north-east?—I understand that several have migrated, who are now inhabiting the sources of the Orange River, and beyond it.

3611. Were there considerable numbers, or only one or two cases?—Yes, in some numbers. They have been in the habit of crossing for grass during the dry season for several years; but I understand that they have now built houses upon the sources of the river, and are living there in great numbers.

3612. Do you happen to know of any great body of persons living together in this way?—I heard of 40 farmers that went out, and are living upon the Kei.

3613. Did they take their herds with them?—They took the whole of their herds and families and slaves; an officer was sent to bring back their slaves.

3614. What was the reason of their going?—I heard that it was to avoid the slave law.

3615. At what time was this, after the abolition of slavery or before it?—About two years ago; but those farmers whom I left in the colony were still residing there, out of the colony.

3616. Were their slaves with them?—The slaves were brought back.

3617. Were they all brought back, or only some of them?—I believe all belonging to that party.

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3618. Did the farmers in general take their slaves out of the colony?—Those upon the upper part of the Orange River I cannot say.

3619. Was there a great disposition on the part of the farmers to take away their slaves beyond the frontier?—No; but I heard of this party.

3620. Was that subsequent to the abolition of slavery on the 1st of August 1834?—I think it was before.

3621. Are you, then, aware that those farmers would have done very well indeed, because they would have got their composition, in the first place, from the British Government, and have kept their slaves into the bargain?—From what I heard of the farmers, I thought they seemed very much displeased with the Slavery Bill altogether. They were very much dissatisfied at having their slaves taken from them at any amount of compensation, because they cannot replace them; they cannot get other labour.

3622. And therefore, in order to procure something like satisfaction, they took compensation from the Government, and then took their slaves away?—They had not got any compensation when I left the colony.

Mr. *William Barrett Marshall*, called in; and Examined.

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3623. WERE you assistant-surgeon of His Majesty's ship Alligator?—Yes.

3624. Did you visit New South Wales in 1834?—Yes.

3625. Were you in the Alligator when it proceeded to New Zealand to recover several persons whom the New Zealanders had detained in captivity?—I was.

3626. How many persons were in captivity?—Nine sailors, one woman and two children.

3627. Those 12 persons were part of those saved from the wreck of the vessel Harriet?—They were.

3628. How many persons were on board the Harriet when that vessel was wrecked?—That I do not know.

3629. Did you understand how Captain Guard and the rest of the crew effected their escape?—In a boat from a place called Maturoa, through the assistance of the natives of that place.

3630. Did it come to your knowledge that they had made any promise of bringing a ransom for the other prisoners?—That was Guard's statement, frequently repeated on board in my hearing, and in the hearing of other officers; and it formed a part of his examination before the council in New South Wales.

3631. Was that promise fulfilled?—It was not, so far as I had the means of ascertaining.

3632. Do you know whether the governor of New South Wales had any other evidence of this transaction than what they derived from Captain Guard?—I understood not.

3633. Then it was upon the statement of Captain Guard that the expedition was sent?—Altogether so.

3634. Was this done by the governor in council?—By the governor in council.

3635. Are you aware whether any objection was started by any member of the council to this mode of proceeding?—I am not aware; the meeting in council was in secret, and what passed in council was not divulged.

3636. Did you know anything of Captain Guard's former life?—Only by report; nothing personally.

3637. Was he reputed to have been a convict?—I never heard it so stated; it is exceedingly probable.

3638. What was the strength of the expedition, naval and military?—The Alligator, one of His Majesty's lowest class frigates (28 or 26 guns), and commanded by an officer of post-captain's rank; and the Isabella colonial schooner, with a company of soldiers of the 50th regiment, who were divided between the Alligator and the schooner.

3639. When you arrived at New Zealand, was the first thing that was done to send to the British resident, Mr. Busby?—We made no application at all to Mr. Busby upon the subject of the business till it was all over, and then we went round to Mr. Busby, and acquainted him with what had been done.

3640. What

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3640. What was the first thing that was done when you arrived at New Zealand?—To send interpreters on shore.

3641. Who were those interpreters?—A Mr. Battesby was the interpreter, and another man went as an interpreter, who had been appointed to accompany us as a pilot. Mr. Battesby was the interpreter appointed, as I understood, by the Sydney government.

3642. Were those interpreters sent alone?—They went alone; at least, they remained on shore alone: an officer accompanied them on shore in charge of the boat, and returned on board again with the boat.

3643. Was it considered safe to send persons thus unprotected amongst such savages as the New Zealanders are reported to be?—It was not considered safe in my own case, for when at a subsequent period I volunteered to go on shore, the captain would not allow me; but whether it was considered safe to trust two interpreters alone, I can only judge by the act that they really were so sent.

3644. When and where did you see them again?—Some days after, when we returned to take them in, four or five days afterwards; they were landed upon the 12th, and they came on board on the 17th of September.

3645. During their absence from the ship, did the natives attempt to murder them?—They brought off a report that the natives had been overheard threatening their lives, and that when they made their retreat from them, or their escape after hiding themselves some time, they met another party of natives, and that this other party of natives told them, that if they proceeded on to Waimate, the place to which they were bound, they would be murdered by the natives there.

3646. Did the natives actually offer any violence to them?—None whatever.

3647. During the period that those men were in the power of the natives, do you know how the men conducted themselves?—I have not heard; I should suppose that they conducted themselves well, as they were surrounded by numbers, and of course were kept in check by fear.

3648. Do you know whether they made the natives a number of promises?—They did.

3649. Do you know whether those promises were false promises?—I do; they boasted in my hearing of having made the promises, and of their being false.

3650. What were those promises that they made to them?—The promise of a barrel of gunpowder, and they also informed them that we required large quantities of whalebone on board the Alligator, and that if the New Zealanders would bring as much whalebone as they could, they might find a ready sale for it on board the two vessels of war, the Alligator and the Isabella, and the whalebone was afterwards found in great quantities in one of the New Zealand villages, brought down for the purpose of selling to us.

3651. Was there a promise that they would give them gunpowder, and trade with them for whalebone, and upon the strength of that promise was it understood that the woman was to be restored?—It was so understood by the natives. The reasons they assign for making those promises were their fears, and the distress to which they were reduced by their fears that they were obliged by fear and hunger and fatigue to confide in the natives, and give themselves up to them again when they made those promises, for the purpose of conciliating them.

3652. If the natives, having received those promises, found that they were violated, was it not likely that in a future instance they would treat Europeans with severity and cruelty?—I should think so.

3653. Did any of the natives accompany Captain Guard when he was permitted to depart?—Some did.

3654. Were those the same persons who were put on shore at the same time with the interpreter?—I was informed that they were.

3655. How were the New Zealanders treated on board the ship?—They were treated very well in general. The crew took every opportunity that was afforded them, whenever they could do it, but in a man-of-war the discipline is very strict, and of course the men cannot have their own way, but they took every opportunity of teasing and tantalizing those men; there were several

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threats held out by one man who spoke a little New Zealand, and he told them that they were to have their heads cut off.

3656. Were they alarmed?—Exceedingly alarmed.

3657. How were they fed?—They were fed as the crew of the Alligator are fed; there are rations in the King's navy for the officers, and rations for the men; all share alike, and they had the same allowance; but they never eat salt meat, and there were no fresh provisions served out on board, and the consequence was that they had nothing but the flour and biscuits, and raisins that they could eat.

3658. Was it a fact that the purser's steward did "put those poor fellows off with the mere bread dust, the dust of such bread as you and others could scarcely bring yourselves to taste," as is stated in your book?—It is.

3659. Mr. *Gladstone.*] You were understood to say, that they were kindly treated?—Yes; whenever they were unkindly treated, it was an exception to the rule.

3660. Do you mean that they were kindly treated by the men as well as the officers?—The officers treated them kindly; but some individuals among the men, who understood a little of the language and were permitted to associate with those men, threatened them, and practised upon their fears.

3661. Was not there a disposition to repress that sort of conduct on the part of the officers?—There was decidedly.

3662. Were they landed for any particular purpose, or merely that they might return to their families?—There was a twofold purpose; returning them to their own home, and also inducing their tribe to give up the sailors that were in captivity.

3663. Was the restoration of those men accompanied with that result, namely, that some of the Europeans were given up?—Instantly; all that were retained in captivity by that tribe. There were three tribes concerned, who divided their captives among them. The sailors were with one tribe; the woman and one of the children with another; and the second child with the third tribe.

3664. Did the seamen appear grateful for their deliverance?—As far as expression went, when they first came on board they appeared grateful; but there was one instance of ingratitude which was very remarkable. They were put on board the Isabella schooner; we had very violent weather, during which they were required to assist the seamen of the Isabella in working, but they refused to render any assistance, unless they were hired as seamen, and paid accordingly.

3665. They had been restored from captivity, and had been clothed by the officers, and yet they refused to render any assistance in working the ship?—Yes; it was not the King's ship, but the Isabella that they were sent on board.

3666. What prevented the natives from giving up the other captives?—Any evidence I may have to give I would give with this reservation, that it is exceedingly difficult to speak as to the motives of the natives.

3667. Did they expect a ransom?—I should think so from what the pilot said; and it appeared from the fact of their having brought down those articles which they were told we should purchase from them, that they expected both a ransom and trade.

3668. They had been promised that we would give them some gunpowder, and that we would trade with them; and they expected the performance of those promises before the captives were yielded up?—Yes; that was the next tribe where the woman and child were.

3669. What ransom was demanded for the woman and child?—A barrel of gunpowder.

3670. Had the barrel of gunpowder been given, do you believe that those two captives would have been given up without further disaster?—I believe they would.

3671. You believe then that the promise was actually made to them of a barrel of gunpowder, and that if that promise had been fulfilled there would have been no bloodshed?—I do.

3672. Do you know why the ransom was not given?—I do not know. Captain Lambert had given particular orders to the interpreter not to promise any ransom, but on the other hand to tell them that no ransom would be given, and the demand was an unconditional demand for the restitution of the prisoners.

3673. Do

3673. Do you know whether the interpreter adhered to the instructions?—I should say, certainly not; from the circumstance of his promising a ransom.

3674. Then, as far as the natives were concerned in the first instance, they had been promised a ransom by Captain Guard; and in the second instance, by the interpreter; and they were prepared to give up the captives, upon condition that those promises were performed?—Yes; but Captain Guard's promise had reference to the first tribe only, the tribe that assisted him to escape, and who held his seamen in captivity, to whom belonged the three chiefs whom we took back, who accompanied him from the vessel. The interpreter's promise was made to the second tribe. They had up to this time had no communication with the third tribe which held the last of the prisoners, the little boy.

3675. When it was found that the remaining captives were not immediately given up, did the expedition proceed to effect a landing?—They tried, but could not immediately, on account of the very heavy surf rolling upon the beach.

3676. Did they land as soon as they were able?—I think Captain Lambert exhibited a very great desire to effect his object by negotiation rather than by force, by sending several times to endeavour to persuade them to give up the woman and the child.

3677. Unconditionally?—Unconditionally.

3678. Was any opposition offered to their landing?—None.

3679. Did any of the natives come towards you at the first landing?—At the first landing there was no opposition whatever; the natives came down and complained that the ransom which had been promised them by Guard was not given them, but they gave up the captives upon being threatened.

3680. In your book there is the following statement:—"While the military were falling in, two of the natives came along the sands, advancing unarmed and unattended, to meet us; the heights above being crowded with others of their tribe, passive spectators of what might happen below, only a very few carrying muskets. One of the pair announced himself as the proprietor of the woman and her child, and was recognised to be so by Guard, with whom the unsuspicious chief rubbed noses in token of amity, at the same time expressing his readiness to give up his prisoners on receiving the 'payment' guaranteed him by his veracious, or rather, lest my meaning should be mistaken, by his mendacious friends, our very honest and competent interpreters. In reply, he was instantly seized upon as a prisoner of war himself, dragged into the whale-boat and despatched on board the Alligator, in custody of John Guard and his sailors. On his brief passage to the boat, insult followed insult; one fellow twisting his ear by means of a small swivel which hung from it, and another pulling his long hair with spiteful violence; a third pricking him with the point of a bayonet. Thrown to the bottom of the boat, she was shoved off before he recovered himself, which he had no sooner succeeded in doing than he jumped overboard and attempted to swim on shore, to prevent which he was repeatedly fired upon from the boat; but not until he had been shot in the calf of the leg was he again made a prisoner of. Having been a second time secured, he was lashed to a thwart and stabbed and struck so repeatedly that, on reaching the Alligator, he was only able to gain the deck by a strong effort, and there, after staggering a few paces aft, fainted and fell down at the foot of the capstan in a gore of blood. When I dressed his wounds, on a subsequent occasion, I found ten inflicted by the point and edge of the bayonet over his head and face, one in his left breast, which it was at first feared would prove what it was evidently intended to have proved, a mortal thrust, and another in the leg." Was Captain Guard the commander of the crew who perpetrated those violences upon this man?—He was.

3681. The same Captain Guard upon whose exclusive evidence the expedition was undertaken?—The same man.

3682. And this man had come down unsuspicious and unarmed?—Yes.

3683. Mr. *Lushington.*] Was this chief warned that if he attempted to make his escape he would be shot?—There was no warning; a good many words passed between him and Guard, and Mr. Battesby, and the pilot, in the New Zealand tongue, which I did not understand; but there was no warning at all; it was the thing of a moment; it was done in as little time as it took me to describe it.

3684. *Chairman.*] Besides this man who was made a prisoner and his companion,

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panion, did any others come near you at that time?—There were several natives on the height above us, and there were others came down along the beach apparently for the purpose of trade.

3685. What became of those men; were either of them detained as prisoners?—One of those was detained as a prisoner and the other fled.

3686. Why did the other flee?—On perceiving the boat's crew firing upon their chief who was in captivity.

3687. Mr. *Lushington.*] Did you say that Captain Guard secured that chief, or was he secured by the officer commanding the party?—Secured by order of the officer commanding the party,

3688. Was he present?—He was present; it was Captain Johnson of the 50th.

3689. *Chairman.*] But when he was taken prisoner by Captain Johnson he was put in custody of Captain Guard?—The reason for his being put in Captain Guard's custody I suppose was, that he was put in the whale-boat in which the communication generally took place, because a whale-boat can live in a surf that a man-of-war's boat will not live in, and for the greater facility of communicating with the ship he was put on board the whale-boat; the whale-boat belonged to Guard, and, to save our own men, Guard's men were permitted to man the boat.

3690. Mr. *Lushington.*] The commander of the party did not witness the insults and cruelties inflicted upon this chief?—I cannot say whether he witnessed them or not.

3691. *Chairman.*] Did you witness them?—I did.

3692. Mr. *Lushington.*] Who was nearest to the spot, you or the commander of the party?—The military were falling in at this moment, and I was the only person unemployed.

3693. Then we may reasonably imagine that the attention of the commander of the party was occupied with other matters?—Yes; completely so.

3694. *Chairman.*] After the troops were landed and those persons made prisoners, what was the next proceeding?—The men were on their way at the time to the pah, where it was supposed that the prisoner was held.

3695. Is the pah a rough fortification?—It is.

3696. When the troops reached the fortification, did they meet with any resistance?—It was found deserted of all its inhabitants.

3697. Did it appear that they interpreted your landing as an act of hostility, or as exhibiting a friendly intention?—From their conduct, I should say as exhibiting a friendly intention.

3698. When the fortification was found to be deserted, was any pursuit undertaken of the fugitives?—Yes; the landing party was divided into two, and then set off in different directions, in the hope of overtaking the fugitives.

3699. On the morning after the expedition landed, had you an interview with some of the New Zealanders?—I had.

3700. How did you succeed in inducing them to hold a parley with you?——By laying down the pistol which I had in my hand, and advancing to meet them.

3701. Will you state the particulars of the interview, as far as you can recollect them?—We were met by two New Zealanders, who advanced with their firelocks in their hands; on seeing which, Mr. Battesby pointed his pistol at them, and gave them to understand that they must lay down their muskets before he could suffer them to come nearer his person. In reply, they called to him to look at the pistol in my belt, and signified that I ought to lay down that weapon of mine if they were to dispose of theirs; and of course, upon being made acquainted with so reasonable a sentiment, hoping too by confidence to beget confidence, I deposited the dreaded pistol in the grass at my feet, and stepped forward with open hand to salute them. We were immediately afterwards upon very good terms, as far as I could judge.

3702. Did you report this interview to the officer then in command?—I did, to the officer in command of the landing party.

3703. Did he then endeavour to bring the matter to an amicable adjustment?—No.

3704. What did he do?—He returned to the pah.

3705. Did he make any attack upon the town?—He burnt it; but they had concluded the conference which we had with them with the threat of bringing down

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down upon us all the tribes to dispossess us of the pah, because they would not believe us when we assured them that their chief had not been murdered. They thought that they had seen him fall in the boat; they believed him to have been killed, and they would not believe us when we assured them that he was not killed.

3706. What did the natives with whom you had an interview say respecting the chief?—They accused us of betraying them. They said that "we had behaved" I give the words in Battesby's own language, as he gave it to me, "badly, with exceeding badness," to O-o-hit, their wounded and captive chief, who they declared had been murdered by us, and was now they doubted not quite dead, for the night before they had seen his spirit pass over their heads in a falling star, and ended with an unfortunate threat of bringing down all the Natiruanni tribes to dispossess us of the numa, and fight us back into the sea.

3707. Then, considering that the natives had been deceived as to the promises made to them, that their chief going with friendly intentions and unarmed had been seized, and as they supposed put to death, and that their town was burnt after they had entered into a friendly parley with us, do you not consider that the natives, judging from what came to your knowledge, had some reason to complain of the conduct of the English?—Yes; but their town had not been burnt at that time.

3708. They had at that time to complain of a promise broken, and the chief wounded and supposed to be murdered?—Yes.

3709. When were the negotiations resumed?—Two days afterwards. I think on the 30th of September.

3710. What took place on the 30th of September?—The chief who had been brought out of the ship was put into one of the boats and exhibited to the natives at another pah, along the coast, belonging to his tribe, and he harangued his countrymen; the woman was brought off upon his declaring that the captain of the Alligator had promised him his freedom, on condition of her being exchanged for him, and he was sent on shore.

3711. What effect had the return of the chief among his own people?—It appeared to excite a great deal of joy on their part.

3712. Will you state the particulars of the release of the woman and her child?—O-o-hit, when the boat came within hearing of his tribe on the beach, stood upon one of the thwarts and harangued them for a few minutes; whereupon they all set up a shout of congratulation, and several waded through the surf up to their mouths in water, hoping to get near to the boat in which he was; but failing to do so, deposited their female prisoner and her infant in a canoe, launched it from the shore, and brought them off alongside the Alligator's gig. In a few minutes more they were safe on board that ship, and under the protection of His Majesty's pennant.

3713. In what manner had Mrs. Guard been treated during her captivity?—Well; as far as I could judge from her own account to me she was exceedingly kindly treated, and there was one mark of kindness in the town which we burnt. They had stockaded in the entrance to the door of her little hut, and had cut a window. In the New Zealand huts they have no windows, only a sort of a hole for them to enter, and they had cut a window and stockaded the part in front of the house, in order to exclude observation. I observed this hut from its differing from the others when I went there, and found several women's things inside of the hut, and child's things, and a piece of soap, an article they never use, which made me ask more particularly about it, and she said that the reason of their stockading it was to keep out intruders and to exclude observation.

3714. Did she complain of any injury having been inflicted upon her?—She said that, during the battle which took place between Mr. Guard and his men and the natives, when the vessel was wrecked and she was taken prisoner, she had been in the fight, and had received a blow across the head.

3715. Did she sustain any injury during the time she was in captivity?—No; she was threatened with injury, but she sustained none.

3716. Then those barbarians had treated their captives without any cruelty or molestation, whilst we Christians, taking their chief who had come to us somewhat as an ambassador, treated him with great cruelty?—A part of us; because I believe that, without a single exception, the feeling was one of unmixed abhorrence on the part of the Alligator's officers and men, at the treat-

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ment that chief had received at the hands of the whale-boat's crew, consisting of Guard and his men.

3717. Mr. *Gladstone.*] Does that question refer to the shooting him in the leg?—Not to the shooting in the leg, but to the wounds that he received by direct thrusts with the bayonets and by blows; the shooting in the leg would have been considered justifiable, as he was a prisoner of war and attempted to make his escape, and he was fired upon while in the act of making his escape, though at the same time they had no right whatever to take him prisoner.

3718. *Chairman.*] But it was a cruelty committed upon him while he was in our power, and which excited the abhorrence of the men?—Yes, and the state in which he was brought alongside the Alligator.

3719. When the woman and the child were given up, the whole of the captives were restored which belonged to those tribes?—Yes.

3720. Was any further attack made upon this body of natives?—Not at the time, it was studiously avoided; the two pahs were nearly joined to one another, being separated only by a very narrow river, and this river is the boundary line between the territory of the two tribes, and in the attack that was made upon the third tribe, the gunners were ordered to avoid especially the habitations of this tribe.

3721. Did hostilities take place with any of the natives after that?—Yes.

3722. How did those arise?—There had been frequent attempts at negotiation between the shore and officers, detached in boats belonging to the men-of-war, to confer with the natives. Those attempts continually ended in promises alleged to have been made by the natives of bringing the child, and those promises broken, the child not being received. Upon one occasion the child was exhibited, and a party of natives appeared descending from the rock upon which their home is built, and one discharged his musket, the ball of which came over the head of the first lieutenant of the Alligator, and he returned on board and reported the circumstance, and the captain ordered the drummer to beat to quarters, and that pah was cannonaded for a considerable time upon the supposition that this was an act of hostility on the part of the natives against us, and of treachery at the same time taking place, while we were in the act of negotiation.

3723. Even supposing it was an act of hostility and treachery, was it worse than the seizing of their chief when he came down to a friendly interview, firing at him and wounding him?—Not so bad, for this reason, that the boat was not in the power of the natives; the crew had the means of escape in their own hands, while that chief had put himself out of the possibility of escape in our hands.

3724. Was there any reason to believe that this ball which passed over the lieutenant was not fired in defiance or hostility, but for some other cause?—There is a reason which satisfies my own mind, but I do not think the reason was known either to myself or to others at the time. It is the common practice of the New Zealanders when they go to meet their friends, always to take with them their muskets, and if they have those muskets loaded they discharge them in the air; and there was a very remarkable instance of that occurred when a missionary party went into the interior to extend the mission, it was met by several canoes coming out with armed natives, and the missionaries described the balls as whizzing to and fro around them in every direction, and the party came immediately afterwards as a friendly party and welcomed them; and from that I infer that this might have been a similar salutation.

3725. Now, entering into the New Zealanders' feelings, it appears that promises had been made to them and they had not been kept, and their chief having come forth for the purpose of negotiation, was seized, ill-treated and wounded; one of their men fired a musket without any evil intention, and this was returned by carronades upon their fortification; what must have been the impression made by such conduct upon the minds of the natives?—It is difficult to say; the impression upon my own mind was that of horror at the time, so much so, that it was with the greatest difficulty that I could remember the situation in which I stood as an officer; but I was reminded by an officer that it was not wise always to speak what I thought, because a subordinate officer expressing an opinion at variance with the conduct of his superior, in giving utterance to any expressions which might excite the men to disaffection, is liable to death by sentence of court martial.

3726. One boy remained still a prisoner with another tribe?—Yes.

3727. What further attempt was made to recover this boy?—Several messages were sent in, and endeavours made by messages, but those messages were sent through the interpreter, who confessed his own inadequacy to act as interpreter, from possessing a very imperfect acquaintance with the language.

3728. Was the boy delivered up?—Ultimately; but only delivered up upon a very strong party, consisting in fact of the whole of the soldiers and several seamen, being landed.

3729. What took place upon this landing?—On October the 8th six officers and 112 men, including sailors, soldiers and marines, were landed without opposition, on a sandy beach, about two miles to the southward and eastward of the Waimate Pa'mider, a bold and lofty cliff. A small six-pounder carronade, two boxes of ammunition and a quantity of round shot, were taken charge of by the sailors, under the command of Mr. M'Murdo, and the first gig, carrying a flag of truce, was sent to lie off the pah to amuse the natives while our men were landing, if not to prevail upon them to launch from their shore the little captive who was endangering their very existence as a tribe; Lieutenant Clarke, R. M., marching off the marines and some of the military to the right, where, at the distance of about 100 yards, the cliff terminates abruptly. It was escaladed with comparative ease, the ascent being aided by a contrivance of the natives for facilitating their own passage up and down its almost perpendicular face, consisting of two plaited ropes suspended from strong stakes driven into crevices of the rock and capable of bearing the weight of several persons at the same time. The gun and ammunition followed the soldiers up this height, but had not all reached the top when some of the natives advanced to confer with us; these, to prevent embarrassment during the landing of the few remaining troops, were ordered to retire, on peril of being fired at if they refused; but they succeeded in making known, before obeying the command, their desire to settle the affair quietly, and to resign their prisoner forthwith; in consequence of which intimation, all hands halted, the soldiers, &c. occupying two heights, which rose like terraces one over the other, and the sailors with an officer and interpreter being very indiscreetly left below to await the arrival of the promised prize. In a little, one New Zealander after another seemed anxious to approach us, and drew nearer and nearer by degrees, but always at a stealthy pace. To meet such I went on in front of our men and succeeded in getting near enough to communicate with them. One, a fine fellow, six feet high and upwards, consented to accompany me back; he had no musket in his hand, but like several more of his countrymen had a cartouche-box slung across his shoulder, and concealed under his mat. Subsequent events render it not improbable that his firelock was at hand, concealed perhaps behind some tuft of flax, in readiness for use when needed, and it was remarkable, that at the several stages of his advance towards me he stooped lower than the ordinary stooping gait at which he and his fellows came on, as if to lay something down out of their hands. His tale corresponded with that of his fellows below, and contained an assurance that the child would be presently forthcoming, wherefore he forbad our fighting, alleging as a reason, and was it not a sufficient reason? that his tribe had no wish at all to fight us. While thus conversing with him through the medium of the pilot, who very reluctantly interpreted his sentences when he found them altogether conciliatory, at the same time that he expressed the most ferocious hatred himself to the whole race of New Zealanders, other natives acquired sufficient confidence to join us, and all appeared anxiously solicitous to avert hostilities, corroborating the statement that the child would soon arrive, and at the same time signifying by a variety of gestures that the occurrent delay was occasioned by the preparations necessary for his transfer being made decently and in order. Suddenly the cry rose upon our ears that the child was coming, upon which my New Zealand friend drew me to the edge of the cliff, whither all feet were now bending their steps, and directed my notice to a procession of about half-a-dozen armed natives, headed by a very stately personage who wore a white feather in his head and a large and handsome mat across his back; while the captive boy appeared perfectly at his ease seated astride the chief's shoulders. Somewhat in the rear followed our former prisoner, O-o-hit, apparelled in the dress he had taken with him from the ship, and near him our two voluntary

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visitants. The native who was with me hailed O-o-hit, who looked up, and recognising me, stopped to "palaver," and was proceeding to do so with considerable volubility, and in apparently very high glee; but, impatient to have a nearer view of the young object of all this pomp and circumstance, I quitted the spot and was hurrying along the cliff in order to descend it, when I beheld the youngster in one of the seamen's arms, and he running away with him towards the turning of the rock, as fast as his legs would carry him.

3730. Then, in point of fact, at that moment the child had been restored?—Yes.

3731. Will you state what took place afterwards?—In the twinkling of an eye more a firing commenced among the sailors on the beach, and the sound and sight thereof being eagerly caught by their companions in arms above, in another moment it was succeeded by a fire from the soldiers on the heights, which ran like electricity along the ranks from man to man, and in utter breach of all faith, for our flag of truce was flying at the time. Upon this last point I cannot speak with confidence, because I had altered my position, with respect to that; I was ashore at the time.

3732. Do you know how this firing commenced?—I know nothing positively respecting that.

3733. Mr. *Lushington.*] It is stated in the official report of Captain Johnson, who commanded the party, to the Governor, that "One of the sailors seized hold of the child, when he discovered it was fastened with a strap or cord, and, to use his own expression, had recourse to cutting away, and the child fell upon the beach. Another seaman, thinking the chief would make his escape, levelled his firelock and shot him dead. The troops, hearing the report of the musket, and thinking it was fired by the natives, immediately opened a fire from the top of the cliff upon them, who made a precipitate retreat to the pahs"?—That agrees with the account I heard from two of the seamen; but both the seamen took to themselves, thinking it was a merit, the merit of firing the first shot.

3734. It appears that the object was not to kill the chief, but to secure the child?—I have no hesitation in saying, that the object was really to kill the chief: the object set forth was to recover the child, but the child was in the sailor's arms before the firing commenced.

3735. This appears to be an instance of mere brutality on the part of an individual, not perpetrated in consequence of any orders?—So far as appears there; but once, when I was preparing a statement of the affair for one of the Van Diemen's Land newspapers, I took it to the officer who had charge of the landing party of seamen on shore, to read to him, that he might correct any mistakes, and his words to me were, when I came to that part, "I ordered the men to fire."

3736. Mr. *Gladstone.*] Whose words were those?—The words of Mr. M'Murdo, the officer who accompanied the seamen on shore.

3737. Are you aware whether orders had been given to that party not to fire, unless the New Zealanders fired first?—I was aware of it; and I was aware that Captain Johnson was exceedingly distressed and agitated at the firing having commenced.

3738. Then if Mr. M'Murdo used that expression, and gave orders to fire, is not it to be supposed that he did it under the supposition which is here stated to have prevailed, that the report which had been heard was from the firing of the natives?—I believe there was a misapprehension on the part of Mr. M'Murdo.

3739. *Chairman.*] Did not the officer who is reported to have given orders to fire, bear a high character?—He did; he has been promoted since for that very business.

3740. Did you witness any instance in which the soldiers mutilated the dead bodies of the natives?—I saw the head of a chief brought in, and I afterwards saw the body of that chief. I walked along the beach to see the body; it was shamefully mutilated.

3741. Was the head of that chief kicked about by the soldiers?—It was.

3742. Did you see that transaction?—I did.

3743. How was that chief killed?—He was one of the chiefs who was on the beach; but whether one that accompanied the child down, I do not know: it was supposed that he was the chief who had adopted the child, and had conveyed

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veyed the child to deliver it up, from the circumstance of a brooch which was found in a letter-bag tied round his neck, being brought on board, and that brooch being recognised by Mrs. Guard.

3744. Had the gun of that chief been fired?—I was informed not; I know nothing about fire-arms myself.

3745. Was it loaded when it was found?—It was not.

3746. And you heard, though you do not know, that it had not been fired?—I did.

3747. Had you reason to believe that this unfortunate chief was the man who had been the protector of the child, and who came forward for the purpose of delivering it up?—Mrs. Guard being my informant, I have reason to believe so.

3748. You understood so from the mother of the child?—I did; she expressed her fear that he was the chief who had protected the child.

3749. Mr. *Gladstone.*] Have you seen Captain Lambert's letter to Sir Richard Bourke of the 1st of November 1834?—I have not.

3750. You are not cognizant of the statement of the facts contained in that document?—Not at all.

3751. He there states that in the evening of the 30th he sent Lieutenant Thomas to ask for the child, and that Lieutenant Thomas was fired at. Are you aware what ground there may be for such a statement?—I have answered the question before, that Lieutenant Thomas was in the boat and a musket-ball came over his head, and he returned on board and announced that he had been fired upon, and that was the ground of Captain Lambert's cannonading the village; the supposed treachery of the act.

3752. Are you aware what ground Captain Lambert might have for stating that the firing of this shot was treacherous?—He could have no ground for stating it.

3753. How can the firing of the shot be accounted for upon any other principle?—Upon the practice of the New Zealanders, which I have stated before.

3754. Is that practice to fire a musket over the heads of the friends whom they meet?—They fire them indifferently.

3755. Do they fire them in that manner, loaded with ball?—If they have ball in them. I do not know why they fire them, unless it is to satisfy their friends.

3756. Must Captain Lambert necessarily have been cognizant of that practice of the New Zealanders?—Certainly not.

3757. Consequently, although he makes what you consider an error in his statement in ascribing that shot to treachery, it does not follow that he should be aware of that error?—No; I think the error was an error of opinion only.

3758. Then the consequence of that misapprehension, on the part of Captain Lambert or of Lieutenant Thomas, was that the New Zealanders were fired at, and several shots fell into the pahs and destroyed their canoes?—Yes.

3759. *Chairman.*] Might not the firing of that musket have been either accidental, or complimentary, or hostile?—Yes.

3760. What was the character which Captain Guard bore amongst the ship's crew in the vessel in which you were?—That I had no means of ascertaining, as we are very much precluded from intercourse with the crew.

3761. Did you learn anything as to the character that Captain Guard bore?—Not in the estimation of the crew, but in the estimation of the officers the general sentiment was one of dislike and disgust at his conduct on board and his conduct on shore.

3762. Do you know anything as to the feelings which he entertained relative to the natives of New Zealand?—Only by expressions which dropped from him at times.

3763. What were those expressions?—There was one, I remember, when I was endeavouring to make myself understood by one of the natives, at a place called Mataroa, where the chiefs were landed, and the seamen who were prisoners were brought off. He came up to me when I was speaking to a native who understood a little English, and my inquiry was as to whether they would welcome a missionary if one were sent to them. I forget his precise expression; but I remember, on my inquiring how he would propose to civilize the

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New Zealanders, his answer was, that the best way of civilizing the New Zealanders was to shoot them; or, that a musket-ball for every New Zealander was the best mode of civilizing the country; as far as I can recollect, that was his expression.

3764. Are you certain that that was the substance of his reply, that the best mode of civilizing them was to shoot them?—Yes, I am quite sure of it.

3765. Do you know any reason why the British, having a resident on the island did not, before they proceeded to hostilities, consult that resident?—No, I know of none; I believe that Captain Lambert very much regretted afterwards that he had not taken upon himself to go round to the resident, and obtain the assistance of one of the missionaries as an interpreter.

3766. Did not much depend upon the character of the interpreter in those communications with the natives?—I should think so.

3767. Have you any reason to suppose that he was actuated by hostile feelings towards the natives?—I do not think the appointed interpreter was. The pilot who acted with him and occasionally interpreted for him, was actuated, I should think, by hostile feelings to the natives; but Mr. Battesby, I should say, is a very inoffensive man, although a very incompetent interpreter, having neither the moral nor the physical courage which was requisite in a man who was to be sent among a parcel of savages, to keep him from making false promises under the influence of his own fears, and being so inadequately furnished with a knowledge of the language as to render it very doubtful whether he either conveyed the sense of what he was commanded to convey or brought back the intended answer.

3768. Before you finally left the island, had any further hostilities taken place?—As soon as the firing was put a stop to, the landing party halted by command of Captain Johnson, and it was not till some of the natives opened a fire upon us that we again advanced upon them; we then proceeded to their pahs, and the pahs were ordered to be burnt, with the whole of the houses contained in them, and the provisions and fuel, and all that was laid up in store in them.

3769. That was when there was no British captive in their hands?—Yes. We had taken possession of the pahs, and had communicated with the man-of-war (with the Alligator); our having done so, and our having the child, the last remaining prisoner in our hands, then the order came on shore that we were to burn the pah belonging to the tribe in whose hands the child had been, and if any opposition had been made to the advance of the party from the other pah, the pah belonging to the chief who had been so desperately wounded was also to be destroyed.

3770. Reviewing then the whole of the transaction, the promises that had been violated, the friendly chief captured and wounded, the village burnt, and after all the British prisoners had been restored, still further acts of aggression and hostility, do you think that in the event of another vessel being stranded upon their shore the natives would not retaliate, by putting to death every one that fell into their power?—I think it exceedingly probable that they would do so.

3771. If such acts of aggression and cruelty were perpetrated when the military were present in an expedition commanded by a British officer, is there not reason to believe, that when the whalers alone come into contact with the natives, that they will be guilty of very great violence and cruelty?—I think there is reason to believe so.

3772. Have you reason to believe, independently of this expedition, that the natives have suffered severely from the conduct of the crews of whalers?—Only from public report. I cannot charge my memory with the particulars of a case which was attempted to be brought before the criminal courts of New South Wales, in which the master of a whaler would have been tried for murder, had not the judge declared the law incompetent to take cognizance of any outrage perpetrated beyond the pale of the British Empire.

3773. In your book there is the following passage: "The interpreter, turning round to me, asked me, with the most perfect simplicity of manner, 'Shall I bounce them?' 'Bounce them,' I replied, 'what do you mean by that? Certainly not; but pray what lie do you propose to tell them?' 'Why, that if they won't promise to deliver up the woman and children, we shall set fire to the numa.'" Which interpreter was this?—Mr. Battesby.

This is a defective quotaion,

3774. Then it was the interpreter whom you consider the more respectable and

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and trustworthy of the two that proposed thus to deceive the natives?—It was; he was the only one officially dispatched as an interpreter.

3775. Do you allude to the other when you say, in another place, that the pilot, who very reluctantly interpreted the sentences of the chief when he found them altogether conciliatory, at the same time expressed a most ferocious hatred himself to the whole race of New Zealanders?—Yes.

3776. Mr. *Lushington.*] Although it is natural, in your judgment, that, in the event of any whaler being stranded on the coast of New Zealand, the crew, if they landed, would be massacred, do you think those hostile feelings would extend towards the Europeans who are already settled on the island?—The Europeans already settled in the island are of different classes: to many of them that hostile feeling would not extend, the natives very clearly distinguishing between the characters of the men who live among them and who visit them. It would not extend to missionaries: I believe that any missionaries might have gone the day after into the midst of those natives.

3777. Does that good disposition extend to the Europeans resident generally?—Generally, I think.

3778. Are those residents of a mixed character, or generally well-conducted?—I have no reason, from any personal knowledge that I possess, to say that they are not well-conducted; at the same time, my opinion, formed from the statements of others, is, that there are many that are not well-conducted; but many of the resident settlers are well-conducted.

3779. From information you have been enabled to collect, you consider that the natives of New Zealand conduct themselves in a kind and conciliatory manner to Europeans, who may, to a certain extent, be considered to be within their power?—I do.

3780. Do not you conceive that it is in the power of the natives to destroy all those European residents whenever they should feel an inclination so to do?—I think it is almost always in their power. The exceptions are, when there are a number of whalers lying in the Bay of Islands, and all those whalers are generally armed, and when His Majesty's vessels are there, which are, of course, armed vessels; then they would fear a retaliation.

3781. These New Zealanders were formerly represented as a most ferocious race; according to your statement, they must be very much improved of late; to what do you ascribe the amelioration of manners?—There again I must distinguish between two sets of New Zealanders; the one body consisting of the natives that have been brought under the influence of the Christian missionaries, and by frequent intercourse with the European settlers of the better class, have, in some measure, become moulded into the character of the men with whom they have associated. Another body of natives, those, for instance, among whom we were dealing, have never been visited by missionaries; they have never felt the influence of a more civilized society in their midst; and whether they are more or less ferocious than they formerly were, I have no means of saying; or whether that ferocity ever was what it is generally stated to have been, I cannot say.

3782. You have heard, no doubt, that the missionaries have been very successful in disseminating the blessings of Christianity amongst the first class of New Zealanders, to whom you have just referred?—I have no doubt of it whatever.

3783. Did any proofs of it come under your immediate cognizance?—Yes, there were a variety of proofs; the first and the most striking proof, in my own mind, was the effect of missionary mediation in a case that occurred in the Bay of Islands, in which Captain Lambert was asked by the British resident to interpose force for the recovery of a boat, said to be stolen by one of the chiefs in the Bay of Islands. Captain Lambert was very slow to employ this force; and he made it a preliminary condition, that one of the missionaries should go and persuade the accused chief to have an interview with himself and the resident. Two of the missionaries went, Mr. William Williams and Mr. Yate, and they succeeded in bringing off the chief to the ship; and the result of the interview was, that instead of the chief being found in the wrong, he was found to have been wronged; and instead of force being required to make him give up the boat, it was considered an act of justice due to him to pay him 30 *l.*, I think, for the boat. I mention this as one proof of the moral influence acquired by the missionaries. In that instance, the missionaries could not prevail

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vail upon him to trust himself on board a man-of-war, unless one of them had declared, that he made over the whole of the missionary property in the neighbourhood to his tribe, in the event of anything happening to himself.

3784. Then in your judgment the conduct of the missionaries has tended as much to raise the estimation of the British character in the eyes of the New Zealanders, as the misconduct of the crews of the whalers has tended to lower it?—More.

3785. You consider that the evil impression made by the misconduct of the whalers has been more than counterbalanced by the benefits conferred by the missionaries?—Yes.

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*Lunæ, 9° die Maii,* 1836.

MEMBERS PRESENT.

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|---|---|
| Mr. Fowell Buxton. | Mr. Charles Lushington. |
| Mr. Andrew Johnstone. | Mr. William Gladstone. |
| Mr. Pease. | |

MR. FOWELL BUXTON, IN THE CHAIR.

Captain *George Lambert,* R.N., called in; and Examined.

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3786. *Chairman.*] YOU were Captain of the Alligator?—I was.

3787. Did you command that vessel upon an expedition to New Zealand, in the year 1834?—I did.

3788. What was the purpose of that expedition?—To release certain shipwrecked seamen, who were in captivity, left on New Zealand, and under charge of three different tribes, the remainder of the crew that had been shipwrecked at the entrance of Cook's Straits.

3789. Was Captain Guard the person who was the master of the vessel that had been shipwrecked?—He was.

3790. His wife was one of the persons detained in captivity?—She was, with two children; one at the breast, and the other a child of about three years old.

3791. Had you any previous knowledge of Captain Guard?—None whatever previous to his arrival on board at Sydney.

3792. Are you aware whether he had or had not been a convict?—I am not aware.

3793. Did you, upon your arrival, apply to Mr. Busby, the British resident at New Zealand?—No, I did not; I proceeded immediately to where the shipwrecked seamen were.

3794. Did you send two persons on shore in order to communicate with the natives?—I did on the 18th September; they returned to the ship about the 21st September.

3795. Did they report that they had promised a ransom, in case of the surrender of the prisoners?—They told me, on their arrival on board, that they had escaped being murdered by having promised some powder to the natives. But I must before state that I had given them positive orders in writing, that they were on no account whatever to enter into any traffic with the natives.

3796. But from their report you apprehended that the natives had an expectation that some kind of ransom would be given for the prisoners?—They might have had that impression; I am not prepared to say whether they had or not.

3797. Was it in consequence of any impression of your own, or in consequence of any orders you had received, that you desired that no ransom whatever should be given?—It was on consulting with Sir Richard Bourke; I was quite agreed with him upon the subject, and I said I would not undertake the expedition if any ransom was to be offered.

3798. Did it not appear to you, that when the natives were under the impression, and had received a promise, that some kind of ransom should be given, that in some degree altered the state of circumstances?—I could not conceive that I was left entirely to my own discretion, and one of the grounds on which I undertook the expedition was, on no account to give ransom, which he, as well as I, thought would lead to the most dangerous consequences, which it certainly would have done. On the 24th September the First Lieutenant landed in the whale-boat and communicated with natives at the numas; the

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the interpreter saw Mrs. Guard, and it was distinctly stated that no ransom was to be given; so the chief must have been aware of this fact, when he was seized on the 28th of September. Mrs. Guard had been thrown out of the stockade as the boats approached the shore on that day, and led barefooted, with her child in her arms, to the other stockades, a distance of 20 miles; they constantly threatened to shoot her, if she attempted to stop.

3799. It has been stated by Mr. Marshall, "that two of the natives came along the sands, advancing unarmed and unattended to meet us, the heights above being crowded with others of their tribe, passive, few carrying muskets. One of the pair, announced himself as the proprietor of the woman and her child, and was recognized to be so by Guard, with whom the unsuspicious chief rubbed noses in token of amity, at the same time expressing his readiness to give up his prisoners, on receiving the payment guaranteed him by his veracious, or rather, lest my meaning should be mistaken, by his mendacious friends, our very honest and competent interpreters. In reply, he was instantly seized upon as a prisoner of war, himself dragged into the whale-boat, and despatched on board the Alligator, in custody of John Guard and his crew." Was that the fact?—He was seized on the beach and sent aboard in the whale-boat, which was the boat the most easy to get through the surf, as reported to me by the officer that landed; I saw the boat with him on board; the report he made was that this chief had jumped overboard in the surf, and that he was first wounded in the water while attempting to escape.

3800. But you were not near enough to see the particulars of the transaction?—I had my eye on the boat at the time, and I saw that there was evidently some disturbance in the boat.

3801. But how the scuffle originated, or who was the first aggressor, you could not tell?—I am not prepared to say.

3802. Was the chief wounded when he arrived on board?—He was wounded.

3803. Do you happen to know how many wounds had been inflicted upon him?—I cannot say exactly the number; I saw his head shaved and his head dressed myself.

3804. Did you consider that the man had been severely wounded, to the hazard of his life?—He certainly had been severely wounded; he had a ball through the calf of his leg, and he had been struck violently on the head.

3805. Did you consider that we were justified in making prisoner a man who came there unarmed, and unattended with any force which might be dangerous to your crew, and came apparently in a conciliatory manner?—He certainly was unarmed at the time, I am told, but his people were on the heights immediately above our boats, where they landed, and they were armed.

3806. Were you within such a distance that you could observe what was done by the military on shore?—At first I could.

3807. Did you observe the burning of the pah?—I did.

3808. Are you aware of the reasons which led to the destruction of the pah and of the canoes?—I am.

3809. Will you state them?—After returning the chief on shore, which I had promised to do on the receipt of Mrs. Guard and her younger child, I sent a boat on shore with the first lieutenant, who had been waiting patiently at the back of the surf the whole of the day; he came on board to me about two o'clock in the afternoon, stating that they had fired at him from the pah, that the ball had whizzed close to his head, and that was the reason for firing on them.

3810. At that moment all the prisoners had been restored?—No; one of the children was still in confinement, and he was waiting for this child, whom they had promised to bring, and there was a perfect understanding then existing with the chief and another person on board the ship that no ransom was to be given for him, and it was during this time, while the Lieutenant was waiting at the back of the surf, that they fired at him.

3811. Are you aware that it is a practice amongst the New Zealanders to discharge their muskets in the air when approaching a friend, and that those muskets are sometimes loaded with ball?—I am aware of such a circumstance; but in this case I was confident that that was not their feeling; in the first instance it might have been so, but we had communicated with them nearly three weeks before that.

3812. Were you near enough to observe the man fire?—No, I was not.

3813. You took it from the report of the lieutenant?—I took it from the

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report of the first lieutenant, whom I placed the utmost confidence in, from the whole of his conduct upon that occasion, and having known him for years before.

3814. But might not the actual firing of this gun have been either accidental or complimentary, and not intended as an act of hostility?—I conceive not, for the ball whizzed close over the boat.

3815. Upon receiving this intelligence, did you order balls to be fired from the cannon at the pah?—At the canoes and at the pah.

3816. Was much damage done to the habitations, and were many lives sacrificed by that firing?—None that I heard of; some of their canoes were destroyed, and a few shot might have fallen in the pah, but the distance was so great that very little damage could have been done, and from what I learnt from the chief afterwards, nobody was hurt.

3817. Was not there a white flag hoisted during the progress of that cannonade?—There had been a flag flying, it was the only flag they possessed, I believe, immediately on our first coming there, but not as a token of truce. I am not aware of any flag being up during the firing; the flag had been flying on the pah all day, and it was up during the time the first lieutenant was fired at.

3818. You are certain that there was no flag indicating peace hoisted by the British at the time?—I am certain of it, it was hauled down previous to the firing; I ordered it to be hauled down myself.

3819. Was the flag that the natives hoisted conceived to be a mark of wishing for a conference or negociation?—In the first place I conceived so; but I was confident afterwards that it was not so.

3820. Were you rightly understood that, at the time of the firing, the child had not been surrendered?—The child had not been surrendered.

3821. Were you present when the chief, bearing upon his shoulders the child, appeared upon the beach?—No, I was not; I was on board the ship.

3822. Did any facts come to your knowledge as to the death of that chief?—Yes.

3823. Will you state them?—Immediately on the boats landing, the troops under Captain Johnson were drawn up on the heights, he sent a young man, who was mate of the ship, Mr. M'Murdo, with two seamen, to the natives who came forward with this child, and also one of the interpreters; they went up to the chief to receive the child; he immediately asked for a ransom; they told him there was no ransom to be given, and he was turning to go away with the child on his back, tied in a mat, he was going back to his people, at some short distance from them, armed; one of the seamen instantly sprang forward and cut the child from the mat and took it in his arms, it fell on the ground, while one of our seamen fired at the chief with his pistol; that was the commencement, as I understand, of the firing.

3824. Did Mr. M'Murdo give directions to the seamen to fire?—I am not aware that he did.

3825. Was the chief killed at that time?—I am not aware whether he was, I understood he was killed, and found on the beach.

3826. Did a general firing commence from our troops in different directions immediately upon this firing at the chief?—I understood immediately.

3827. Were there many lives of the natives sacrificed?—I am not prepared to say how many; I heard various reports; I was not on shore myself; I had sent the first lieutenant in the gig the morning the troops were landed to the pahs, to inform them of the fact, but they would not communicate with him, and he returned to the ship when he saw the firing commence.

3828. What was the largest number that you heard were killed, and the smallest?—From what I could collect, I should think between 20 and 30 were killed and wounded, but it was not ascertained. They went straightforward to attack the pahs, and they had no communication with the natives after.

3829. Then it was not the natives that fired at us, but it was one of our sailors that fired at the natives, which was taken as a signal for a general firing of our troops?—I conclude it was so from what I have heard, but at the same time I did hear a report that they fired about the same time; but my impression is, that it was one of the seamen that fired at the chief first.

3830. It has been stated to the Committee, that the chief who lost his life upon that occasion was the man who had protected the child, and that Mrs. Guard

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Guard recognised him as such; did that come to your knowledge?—It is impossible that I can answer that question correctly myself, not being present; but it was reported to me, that that chief was in possession of the child, and I saw the boat close to him the day before, and on prior occasions to that with the child in his arms close to the boat, and he was repeatedly urged to give the child up, and he constantly refused to do it.

3831. Do not you think it was some apology for him in not giving up the child, that the interpreter had promised that a ransom should be given in exchange for it?—It could not have been that, because I had sent the chief on shore, to whom I had explained it myself. I had a man on board the ship who could speak the New Zealand language, who had been there a considerable time in a whaler, and I went up to the chief in his bed, and also to another native on board the ship on another occasion, and I expressly stated to the people that we should be too happy to traffic with them, or do anything, after they had restored the child, but that we never would give any ransom, and that I would take it by force if they did not give it up.

3832. An act of considerable barbarity has been stated to the Committee, namely, that the head of this chief was cut off and kicked about by some of the soldiers upon the strand; did that come to your knowledge?—The head was cut off by a soldier of the 50th regiment, but it having been kicked upon the strand is, I declare, a perfect falsehood; for I am convinced that the officers had such an abhorrence of the transaction, that they would not allow it; he reported to me, that the instant it came into their possession, the man had only put his foot into the pah, and they immediately took the head and had it buried.

3833. You state that in consequence of the abhorrence of the transaction which they expressed, you cannot believe that the officers would have suffered the body to be so insulted?—I am quite convinced they would not.

3834. What were the circumstances which they stated, which you say called from them those expressions of abhorrence?—On coming on board the ship, the marine officer of the Alligator had reported to me the circumstance of a soldier of the 50th regiment having quitted the stockade and gone to the spot at which this chief had been killed; that he had cut off his head and brought it back to the beach. I expressed my horror at it, and sent immediately to Captain Johnson, urging that no like transaction should take place, and at the same time I asked him if the thing was true. He told me that it was, but that the instant the head had been brought into the stockade it had been buried by his orders.

3835. After this last prisoner, the child, had been restored, was there not some firing against another pah?—Not that I am aware of.

3836. Was not another of the stockades set on fire?—The two stockades were adjoining each other, and they were occupied both at the same time.

3837. Were not those stockades burnt subsequent to the deliverance of the child?—The child was received on board, and the troops could not embark for three days after; the stockades were burnt on their quitting them.

3838. They were burnt by Captain Johnson?—They were.

3839. Of that transaction you are not prepared to say anything?—No, I am not.

3840. What were the names of the two interpreters employed by you on this expedition?—Battesby was one, and Miller the other.

3841. What was the character that Battersby bore?—I know nothing of him; when he came on board the ship he was supposed to speak the language, and that was the reason of his being selected at Sydney for the purpose; he had been trading there a considerable time before.

3842. What was the character of Miller?—I knew nothing of his character on coming on board the ship, he was one of the interpreters that had been taken on board at Sydney.

3843. Did Captain Guard, during the time that you were going out with him, or upon his arrival there, express his sentiments with regard to the mode of dealing with the New Zealanders?—Frequently.

3844. Did he express such sentiments as you viewed with a considerable degree of abhorrence?—I should say not before me: I had heard that he did, but not before me. He suggested several things that I thought were very improper, and I of course did not listen to them; my object was in the first instance

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instance to gain them if possible by negociation, and he was most anxious that I should land at once, and I was determined not to do it till I had tried every thing in my power to gain them by negociation.

3845. You state that he made use of many expressions which you deemed very improper; will you state what those expressions were?—He was anxious that we should commence firing on the pahs, that we should land immediately and not treat with them, from having received such treatment himself; but it is not likely that he would have spoken to me in the same way that he would to others in the ship.

3846. Do you believe that he did express himself on board the vessel in a way that showed blood-thirsty intentions towards the natives?—I really cannot answer that question, because it must be belief founded upon mere hearsay. I did hear, certainly, of his having spoken in a very exasperated manner against them, and having no sort of kind feeling towards them.

3847. Was Captain Guard a man upon whose unsupported testimony you would feel justified in commencing an attack upon the natives?—Certainly not, unless there was an object in view which I saw; at that time the object was the unfortunate woman and the children that were in captivity. The other tribes had perfectly understood what I had stated to them, and had given up the shipwrecked seamen instantly.

3848. The natives had received a promise of ransom for the prisoners, and that promise was, for the reasons you have stated, not performed, because it had not been guaranteed, but still it had been given. One of their chiefs had been severely wounded when he came unarmed to the conference with the British; another of them had been killed when he brought the child; their stockades had been burnt, and some of them had been burnt subsequently to the period at which the last captive had been given up. Is it, or is it not, your opinion, that these transactions will place in considerable jeopardy the lives of any British sailors who may happen to be stranded upon that shore in future?—I should say quite the reverse; not only from my own experience and my own opinion on the subject, but from all the information I have gained from the missionaries who are settled in New Zealand, who thought it would be most beneficial, the example that had been set these people; they were of the worst tribe of persons in the whole of New Zealand; they were renegades and people that had escaped from various tribes for thefts and every crime that possibly could be thought of; this was told me at Entry Island by one of the principal chiefs there.

3849. Will you state what missionaries they were who apprehended that beneficial consequences would result from this chastisement of that body of natives?—The first I can name is Mr. Williams, at the Bay of Islands, Mr. Busby also was there, and a variety of the different residents, and they, instead of being at all alarmed at what had taken place, thought it the happiest circumstance that could have occurred for establishing them in safety upon the island.

3850. It might have been a happy circumstance to them, living as they did with a tribe hostile to those people; but the question is, whether these circumstances will not be likely to lead to the sacrifice of human life in the event of another vessel being wrecked in the neighbourhood of those tribes?—I should say certainly not; I do not believe that they would attempt such a thing again.

3851. You intimated that there were circumstances connected with the expedition which you regretted, but which you could not prevent; will you state what those circumstances were?—That circumstance of a man's head being cut off, was a circumstance that I could not prevent; I regretted it beyond measure, as I can prove by the letters I wrote to Captain Johnson.

3852. Were there any other circumstances connected with the expedition which did not meet with your approbation?—Certainly; for my own feelings, I regretted amazingly that I was obliged to do so much as was done; but I feel convinced that it was the only mode that could be pursued; if there had been any safety for the ship, if I could have placed her in safety, and landed, I would have gone myself, and under those circumstances I would have tried everything in my power to negociate with them, as I proved on all occasions was my desire. At Mataroa, in the first instance, the Numa and Taronaka, where I proceeded in the first instance, on making the land, I had communi-

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cation with the natives; the day was perfectly fine, and they must have heard every word that was said to them; neither Battersby nor Miller were there, because I had landed them before, and it was by a seaman belonging to the ship that I sent on shore to say that no ransom was to be given, but I trusted that they would give up the people immediately, without obliging me to commence hostilities against them.

3853. Do you conceive that it would have been better if a communication had been first made with our resident, Mr. Busby, and an endeavour had been made to negociate through his instrumentality?—I do not; Mr. Busby had no influence whatever in New Zealand; it could only have been done by one of the missionaries, Mr. Williams, volunteering to go. I should never have felt myself justified in having landed him there.

3854. Then it may be inferred, that you never expressed regret that Mr Busby, or the missionaries, had not been consulted previously?—No; I never expressed regret upon the subject; a variety of depredations had taken place in Cook's Straits frequently before, and it was necessary that an example should be made of them.

3855. Did not the fact of capturing the chief, who came unattended and unarmed, excite in your mind some doubt as to the propriety of that act?—On the boat going on shore, having failed in getting any sort of communication with them, I desired any New Zealanders that they could lay hold of to bring on board the ship, as I thought that, by bringing them on board the ship, it was very likely to effect an exchange, and to get Mrs. Guard from their possession.

3856. Would not you yourself, if you had been there, seeing that this man came down in confidence that he would not be injured, have thought yourself not justified in seizing him, though you might have been disposed to seize others who had entered into no friendly parley with us?—Decidedly, I should have seized him when Mr. Guard told the lieutenant, that is the man who has possession of my wife; and I believe if it had been any other New Zealander than that man, she would not have been restored.

3857. Are there are any other circumstances connected with the expedition which you would wish to state to the Committee?—None, further than what led to the act, which was the evidence taken before the Governor and Council at Sydney, and Mrs. Guard's statement of the cruelty that she had received. Amongst other things, one was their offering her part of her own brother to eat; another thing was, constantly placing this man's head, which they had preserved, in her face, and having been struck down with a tomahawk twice herself, and having received several wounds in her head.

3858. Mr. *Gladstone.*] When she reported herself to have received these wounds in the head, were the injuries she had received in any way perceptible?—I did not examine myself, but I understood that they were.

3859. Did it fall to the duty of Mr. Marshal to examine them?—No; it was not his duty to do so; he might have done so from curiosity. It ought to be understood that the child was not given up by the chief, he was taken by force, by one of the seamen; it was a simultaneous act, one man got the child from the back of the chief, and the other man fired his pistol off; it was a sort of instantaneous thing, the troops were on the height, and they almost instantly commenced firing.

3860. *Chairman.*] Does anything further occur to you that you wish to state?—Nothing further, except that I may mention as one of the atrocities that they committed, they had preserved one of the heads of the shipwrecked people in the same manner that they do their own. When our people were waiting outside the surf, they held this up in ridicule to them, and they had held it up frequently in Mrs. Guard's face.

3861. By whose order did the firing take place immediately after the child had been rescued?—I am not aware of anybody giving any order of that sort: but my belief is, that one of the seamen discharged his pistol at the same moment that the other seaman seized on the chief who had possession of the child; and Captain Johnson informed me that the instant the pistol was fired on the beach, his men were drawn up on the heights, and they commenced firing.

3862. Did he state to you that he saw a number of bodies afterwards that had been killed upon that firing?—He said he saw several persons that had fallen.

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3863. Mr. *Gladstone.*] Your impression is then, that the firing of the troops took place, not in consequence of any order given at the moment, but in consequence of a previous order given by Captain Johnson, that they should fire when the first shot was fired?—They were drawn up, and had taken up their position, and I conclude, that when once the firing commenced, they fired also; it was owing to that pistol being fired off.

3864. *Chairman.*] You do not apprehend that Captain Johnson gave orders, at that time, to fire?—No; I do not.

*Thomas Hodgkin*, M. D., called in; and Examined.

*T. Hodgkin*, M. D.

3865. HAVE you turned your attention to the aborigines bordering upon the British colonies?—I have for some years paid attention to the condition of the aborigines, as they are called, in various parts of the globe, but not confined it to those of our own colonies, or in the immediate neighbourhood of them. I have felt greatly interested in the subject generally.

3866. Will you state to what bodies of aborigines your attention has been turned?—It has been chiefly directed to the North American Indians; but in some degree to those of South America, and to the natives in Southern Africa, and much less to those of Australia.

3867. What have been your sources of information?—When circumstances would admit I have endeavoured to obtain information from individuals that have fallen in my way, who have been amongst those people, and I have also endeavoured to collect information from the writings of various travellers who have been amongst them. The members of the Society of Friends have corresponded with their brethren in America on this very subject, and their documents in an especial manner have been interesting to me. I have had a few opportunities of communicating with the North American Indians themselves.

3868. Have you been led to form any general conclusions respecting this subject?—The first general conclusion which it has been painful to me to draw has been this, that the treatment of the aborigines in modern times has been much more deleterious to them than appears to have been the case formerly; I mean to say, that attempts at colonization and intercourse in the way of trading appear to have had a much more deleterious influence upon the pre-existing inhabitants, when they have been uncivilized, in modern times than was the case formerly.

3869. When you say formerly, do you refer to remote periods?—I mean quite remote periods.

3870. You mean that the colonization of the subjects of Great Britain amongst the aboriginal natives of America or Southern Africa, is more injurious to those natives than was the colonization of Great Britain by the Romans?—Precisely; that is one of the examples which I should adduce.

3871. Mr. *Gladstone.*] Would you describe the occupation of Britain by the Romans as a case of colonization; was not it rather a case of conquest?—It was a case of conquest, and it was a case of partial colonization, and there was a partial intercourse for the purpose of traffic, which is a kind of intercourse I mentioned in the commencement.

3872. At the same time it is distinguished by many important features from modern colonization, both in relation to the nature of the occupation and to the proportions between the number of the superior nation and the aboriginal nation?—I am aware of there being causes for the difference, which does not the less remain to be a fact.

3873. But at the same time those causes render it necessary to draw the analogy rather less closely than you otherwise would; would not you say, for example, that there was a closer analogy between the case of the English in Ireland and the case of the Romans in Britain, than between the case of the Romans in Britain and the English in North America?—I think there was in some respects a closer analogy.

3874. *Chairman.*] But you are rightly understood, that you think the conquest and colonization of Britain by the Romans was less injurious to the inhabitants than the colonization and trading of the Europeans at this time is to the aborigines who now exist?—I think that was the case; and that the Romans and other nations were satisfied with having discovered territories and having visited them, and in a degree reduced them under their power, but their

their cupidity did not lead them to dispossess the natives, and treat them in the way in which our people have done.

3875. Mr. *Gladstone.*] Is it a correct inference from one of your first answers, that you thought our system of colonization more injurious now than it was two centuries ago, or do you mean only to institute a comparison between the present time and a period very remote?—Very remote, certainly; I believe that our attempts at colonization have of late greatly improved in their character.

3876. *Chairman.*] When you use the term deleterious to the native inhabitants, do you mean deleterious to their morals or destructive to their lives?—I mean, in the first instance, destructive to their lives, reducing their number, but in many instances it has produced a demoralizing effect as well.

3877. How do you account for the difference in the effects produced by ancient colonization and those produced by modern colonization?—Probably from the reason which has been elicited, that the object is different, and that the intention has been different; but I think it is also to be ascribed to the far greater distance existing between ourselves and the aborigines with whom we have to do than existed formerly between the Romans, for instance, or the Egyptians, and the natives amongst whom they attempted to settle; but much more so from the motives being different, our motive being simply our aggrandizement, with comparatively little reference to the welfare of the natives.

3878. Mr. *Gladstone.*] Do not you think that very wide disparity is the principal cause?—I think the difference in the motive is the principal cause.

3879. How would you shortly describe the motive in which you think the the principal cause of the difference is to be found?—In our having, with the exception of the benevolent attempts of missionaries and a few others, a purely selfish motive; our own pecuniary aggrandizement seems to be the principal object, or to found a settlement for our own redundant population, without regarding the welfare of those that have a stronger claim to the country; or else with a view of deriving wealth from the countries we visit. There is too little of Christian benevolence accompanying our mercantile transactions.

3880. Taking that as a correct description of modern colonization, could you compare it advantageously with those motives of Roman colonization?—I conceive that Rome had some advantage in view, but that the motives were in many respects very different; they were satisfied with the extent of conquest, they did not look upon our island as sufficiently attractive; I think we rather resemble our forefathers the Saxons.

3881. *Chairman.*] Do you apprehend that the Romans who visited Great Britain found the inhabitants in a state of as great degradation as we find the natives of countries which we now visit?—Not quite so great, but not very far above them; when we learn that they were nearly naked and painted their skins, it is very much like the accounts of the people of New Zealand.

3882. Have you any facts to adduce in reference to the opinions you have now given?—The principal facts to which I would advert, are the influence of our colonization in Africa and in America, and I would first allude to that in Africa, because that has been comparatively within our own memories, and may be compared with another act of ours, happily no longer existing, but the atrocity of which has been generally admitted; I mean the slave trade; the extreme iniquity of both has now been admitted, and I trust set at rest; but I think if we compare that enormous evil and its results with the results of this evil, which is now I hope to be taken under similar care, I think it will be found that the slave trade and slavery was, with all its abominations, a smaller evil. We have been accustomed, till a late period, to draw from Africa a large number of slaves, notwithstanding which it has not sensibly reduced its population. We have taken those Africans, or our neighbours have taken those Africans, across the Atlantic, and have there subjected them to the miseries of slavery, but neither of those have been an exterminating process; they continue to exist in Africa, and have multiplied in South America and in the various islands. If we compare this which has been going on 200 or 300 years with the operations of 50 years in South Africa, I think it will be seen that the colonizing process has done more to reduce these classes in point of numbers, than that other process, the atrocities of which have been so generally admitted.

3883. Upon what ground do you state that there has been a more exterminating

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minating process going on in Southern Africa, in consequence of our entering upon the territory of the natives, than is produced upon Western Africa by the slave trade?—Because the accounts of travellers who have visited the southern extremity of Africa at a remote period, speak of it as highly populous, and at the present day it is quite the reverse. Some years ago I had the pleasure of meeting the old African traveller Le Vaillant. At the time he was acquainted with the Cape, the Hottentots were a very numerous people within the neighbourhood of the Cape; he foresaw that the process going on was likely to exterminate them; his prediction has been very much verified. Other travellers have told me that near the Cape they hardly see a Hottentot; further up the country they do exist, but even there within the memory of man their numbers have been greatly reduced. A few days ago I had a letter from Sir John Herschel, who stated that a Hottentot or a Caffre was quite a rarity in the neighbourhood of the Cape.

3884. Mr. *Gladstone.*] In the neighbourhood of Cape Town?—Yes.

3885. *Chairman.*] Does not it stand upon record that in the earlier periods of visiting the Cape, the population of natives in the immediate vicinity of Cape Town was very large?—I believe it does.

3886. Have you any other facts that show a decrease of population in those districts?—A friend of mine some years ago accompanied an expedition against the Caffres, and he was a witness of their rapid reduction; in fact, he was one of the expedition to drive them back some hundreds of miles further than they had been previously driven.

3887. In what year was this?—I suppose it must have been in the year 1819 or 1820, and some previous years.

3888. Is that gentleman now living?—Yes, he is.

3889. Are there any facts relative to this point which you can state to the Committee?—With respect to Southern Africa, I do not know that I have any stronger facts than those I have adverted to, in proof of their reduction.

3890. Can you state anything with respect to any injury to their morals that they have received from the intercourse with Europeans?—Certainly, by means of spirituous liquors they have been very much reduced; and their treatment of them with respect to the females, I have heard upon good authority, to be of an extremely debasing character; their females have been taken from them; in fact, it has frequently been the cause of that retaliation which has raised our commandos against them; not only the boors, but British officers, have had their females for immoral purposes.

3891. Those are facts that have come to your knowledge by the report of others, but to which you cannot speak from your own knowledge?—Of course not.

3892. Do you believe, from all the evidence that you have heard, that the effect of their intercourse with Europeans has been a considerable degradation of morals, and a still more considerable reduction of human life?—Of that I have not the smallest doubt.

3893. Mr. *Lushington.*] Have you fixed in your mind any particular period at which the course of depopulation of Southern Africa was the most active?—I am not prepared to say; I do not know the rate at which it is proceeding at present; I believe it to have been extremely rapid formerly, and I would hope it is diminished. I am quite aware that a greatly improved disposition prevails towards them. At one time the disposition not only of the Dutch but of the English was extremely bad.

3894. Is it your impression that that depopulation had taken great effect before the British got possession of the country?—I believe it had.

3895. Are you of opinion that the intercourse of the British with Southern Africa has much tended to create the effect of depopulation?—I believe it has, from the great energy of colonization which we have introduced.

3896. Then, notwithstanding we found the work so far advanced, it is your opinion that we have very largely participated in it?—Unquestionably.

3897. Do you mean by our encroachments and ill-treatment of the natives?—By both.

3898. Mr. *Gladstone.*] Do you refer in that statement principally or exclusively to the Hottentot race, or do you also extend it to the Caffre race?—Quite as much to the Caffres. I believe that the reduction of the Hottentots had gone nearly to its full extent before we went there, and the remaining

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Hottentots had become to a certain extent a located people, and were converted to use as assistants in agriculture, which the Caffres were not.

3899. Is it your opinion then that the population of Caffreland, or that the Caffre race in itself, has decreased greatly in number the last 100 years?—I should think there is no doubt of it.

3900. Should you be much surprised if it were stated that there had been a large increase in the number of Caffres in the last 100 years?—I doubt whether I could be made to believe it; it would be so completely opposed to other statements, which seem to admit of no doubt.

3901. *Chairman.*] You consider that though the slave trade and slavery were in their first appearances more abominable and more violent encroachments upon the human race, yet that they have not been more disastrous to the natives than has been the system of colonization which has been in use?—It is my opinion that it has been immensely less so.

3902. Mr. *Gladstone.*] Having referred those evils to colonization as their source, will you state the instrumental causes through which you conceive them to have been operated. You have already mentioned the use of spirits; will you state the others?—The use of spirits is one of the first; in the second place, the fact of their having lost large portions of their land, and even long before they have been wholly dispossessed of their land, their land has become of less value to them as a means of supplying them with pasture where they keep cattle, or with game where they live upon game, as in the case of the North American Indians. A new species of traffic has been introduced among them. They have also been driven back upon their neighbours, which has increased hostility in a great degree, and they have been supplied with novel weapons, which have given them greater facilities for their mutual extermination.

3903. You would call those weapons one of the causes?—Yes, the introduction of fire-arms.

3904. Have you any other causes to specify?—Diseases which in many instances we have introduced, particularly the small-pox and the venereal disease, which have swept off many of the Indians.

3905. *Chairman.*] The question refers at present to the Caffres?—With respect to the Caffres, I think, taking away their land, and partly their cattle, and exciting, or at any rate promoting, wars amongst them, have been the great bane.

3906. Have you anything to state respecting the Indians of Southern America, more particularly the Indians at the back of the Essequibo?—My information respecting them has been extremely limited, but I have met with two or three travellers who have been amongst them. I am not aware of any particular acts of aggression from which they have suffered, but they are dwindling under the baneful influence exerted upon them by a neighbouring greatly superior state of society, without any measures having been taken to prepare them to receive its influence.

3907. Mr. *Gladstone.*] You speak now of the Indians at the back of the Essequibo?—Yes, they are spoken of as rather a weak, and, in many respects, amiable people, who are withering under the effects of a civilized state of society, for which they are not prepared.

3908. Are those Indians in contact with the colony of British settlers?—They frequently come down, and they are employed to cut wood and to hunt, and in various ways to assist our settlers, for which they obtain those commodities which civilized settlers can supply them with, but which, as civilization is not advancing amongst them, become the means of reducing their numbers, and impairing their condition.

3909. Are there any other Indians of South America respecting whom you can give information?—I have had communication with some naturalists who have travelled among them. There is a naturalist of considerable distinction, Dr. Naterer, who speaks of them as in a very forlorn situation, and not likely to derive benefit from their civilized neighbours, without further efforts being made; although possessing equal rights by law with those of European descent, they are held as an inferior race, and are not likely themselves to advance. There is also another gentleman who speaks of them in much the same terms, from whom I am expecting further information.

3910. As to the North American Indians, can you give the Committee any outline of the territory over which we exercise an influence, and over the population

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lation of which we have exercised some degree of injurious influence?—I am not aware of the amount of our Indian population. Those in connection with the North Americans have been so much more interesting to me, that the mass of facts I have chiefly relate; to them but I can only adduce them as illustrating the mode in which the North American Indians generally have suffered. I believe that their intercourse with the British and with the Americans is, in some respects, different, though the result has been the same. It is pretty clear that we have employed them far more as warriors than the Americans; we have been more liberal in the way of presents, and are, I believe, generally much better esteemed than the citizens of the United States, which circumstance has contributed to excite a jealousy on the part of the United States, from which the Indians have suffered, although they have many friends even in the States.

3911. Mr. *Gladstone.*] Have the tribes upon our North American frontiers any connection with the more southern tribes on the frontiers of the United States?—They have.

3912. To what nation do the tribes upon our frontiers belong?—We have Chippewas, Mohawks and Hurons, and, I believe, some of the Sioux. At any rate they are a medium of communication between the frontiers of the British dominions and the frontiers of the United States.

3913. Have those nations any relations, amicable or otherwise, with the Creeks and the Cherokees, and the other Indians upon the United States frontier?—I think the Creeks and the Cherokees are too far south for them to have anything more than a very rare communication. There have been persons among the Indians of powerful mind, who have exerted their influence over an extent of some thousand miles.

3914. But the natives of one tribe will be sufficiently aware of what is going on in another, to be acquainted with their general condition?—To a certain degree they are; but I believe that very remote Indians, in their present state, do not know much of each other, at least that is the idea which I received from the Indian chief who was over here last year.

3915. Mr. *Lushington.*] What tribe did he belong to?—To the Chippewa. The numbers of the Indians are very greatly reduced; in fact, as long ago as 1760, it was stated that they were not then so many hundreds as there had been thousands. The statement of every man who has been recently conversant with Indian affairs, represents them as having declined still more rapidly. In looking over my extracts, I find a curious remark, made by an Indian, which I think is worth noticing. He compares the fate of the Indians to that of a material placed between the blades of a pair of scissors; he compares the Americans and the English to the two blades of a pair of scissors, which approached each other as if about to injure themselves, but instead of that they injured the material placed between them. We appear also to have injured them in various ways by our trade, by our vices, and by our diseases. But there is a curious fact which I was not aware of till I was apprized of it by a friend of mine, that some years ago they were a decidedly agricultural people. Upon the occasion of an English settlement suffering from famine, as many as 50 canoes came down loaded with corn, which they sold to them. We, by driving them back, and by introducing the fur trade, have rendered them so completely a wandering people, that they have very much lost their disposition to settle.

3916. *Chairman.*] Do you apprehend that the native population of North America has decreased in consequence of the British interference with them?—I apprehend it has so; it can hardly be otherwise, when we have occupied so large a portion of that ground which was necessary to a hunting people.

3917. Have you any facts to state, showing that the population in former times was greater than it is at the present moment?—Of their diminution in adjacent territories there are many proofs, and the chief to whom I have alluded, stated, that in our own territories they had decreased much in number, and that the small number which remain are now upon very trifling reservations.

3918. Were you able to get any facts which would lead you to any inference as to the proportion of decrease?—No; I am not aware of any except this, that in a late treaty made for the purchase of land they were reduced to a few hundreds.

3919. Do you know what they were in former times?—They have been considerable and populous. *T. Hodgkin, M. D.* 9 May 1836.

3920. They were a powerful tribe in former times, and are now reduced to an inconsiderable number?—I believe that to have been the case; I have no statement of the numbers.

3921. Have you any other facts to state?—With respect to the Indians, I think they should be divided into two classes, those who are still remaining in our own territories, upon the reservations, and those who are upon our frontiers. They appear to be very materially different in their character. Those who live amongst civilized settlers are very much reduced to a state which resembles that of gypsies in this country. They have lost much of their pristine noble character, and it would doubtless require very different means to secure them further protection from those which would be necessary to protect Indians upon the frontier, who retain much more of their native character, but are still suffering from our traders and from the loss of their game.

3922. Have you any other facts to state relative to the North Americans?—There are several, which I will not trouble the Committee with now.

Mr. *Thomas Trapp*, called in; and Examined.

3923. WERE you stationed for any length of time in Australia?—About six months I was in Australia. Mr. *Thomas Trapp.*

3924. Have you any facts to state relative to the treatment of the natives in Australia?—My means of acquiring facts upon this subject were very limited indeed; in fact it was almost impossible to judge from the short time I staid; and in Sydney also, facts relative to the natives are not easily to be procured.

3925. Then relative to the inhabitants of that country you have no particular information to give?—Not the least.

3926. Are you aware whether the population of the country has decreased?—I have heard that it has decreased or retired; it is difficult to say whether it has decreased in so a large country, or retired beyond the limits of location.

3927. Have any facts come to your knowledge tending to show, that by the introduction of any diseases there has been a great reduction of their numbers?—By the small-pox there has been a great reduction; it is merely from hearsay that I know this.

3928. Did you learn that convicts that had escaped, had been among the natives, and been productive of considerable injury to them?—I have not heard of it.

3929. How long were you in New Zealand?—About 15 months.

3930. Did any facts come to your knowledge there relative to any aggressions made upon the natives by Europeans?—I do not think it is in the power of the Europeans to commit acts of aggression upon the natives; they are not sufficiently numerous.

3931. Are there not a great number of whalers about there?—A great many.

3932. Have you heard of the crews of whalers having committed depredations and injuries upon the natives?—They corrupt the morals of the natives, and teach them many practices which are very detrimental.

3933. Do you conceive that the natives have sustained serious damage from those whalers?—I should think they have. In consequence of the inability of the masters of whalers to restrain their men, many dissolute and disorderly characters abscond from the ships, and live among the natives, encouraging them in their malpractices.

3934. In what way, morally speaking; is it by practising intoxication, or from any diseases which they have introduced amongst them?—Partly by both; the means of intoxication have been introduced by whalers.

3935. Have any facts come to your knowledge specifically of injuries sustained from whalers, and if so, please to state them?—No fact came to my knowledge of any such circumstance, except as far as regards the absconding of the seamen, which is frequent; but what I have before stated is the general opinion among the respectable inhabitants of New Zealand. I should wish it to be understood that I do not, by this, intend to imply that the whalers are an evil, except inasmuch as for the want of laws for the preservation of order, the men employed in them frequently commit great excesses. If any means were used for the purpose of preventing whalers visiting New Zealand, the natives would look

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look upon it as a great calamity, as the whalers now are the principal means by which they are enabled to exchange their commodities, (pork, potatoes, &c.) for useful articles.

3936. Do you think that the effect of European intercourse upon the natives has been injurious, to a considerable extent, to the morals of the natives, and that it has also been to any extent destructive to their population?—With regard to the reduction of the population, I am not able to speak; that the morals of the natives have been injured by the intercourse with Europeans I think must be admitted.

3937. Did it ever occur to you that any measures could be adopted in order to restrain the crews of whalers from perpetrating any enormities upon the natives, or leading them to practices injurious to their health or their morals?—I conceive that the only means of preventing such occurrences is by the institution of a law for the preservation of property, which may be done by enforcing the laws of England. We have a representative there, who is to be compared now, in his present situation, to a man-of-war without guns. I presume that he has authority to restrain disorderly conduct, but he has not the means of putting it into execution.

3938. Do you consider that if additional powers were given to Mr. Busby, the resident, and if he had some kind of force placed under his command, that we could in that case restrain the conduct of those crews of whalers?—I think there would be no difficulty at all in it.

3939. Mr. *Lushington.*] You mean if a naval force was placed under his command?—A small naval force and a small military detachment.

3940. Would it not be a questionable matter the having a military force in New Zealand, without its being sufficient to overawe the islanders?—With proper management, I think there would be no evil resulting from it. A naval force would be much the better. I should say, a ship of war, with two or three small tenders.

3941. At what do you compute the number of the New Zealanders?—I do not know.

3942. Do you suppose they consist of 50,000 men?—I should think they cannot be less.

3943. Under those circumstances, is it likely that they would admit the presence of a small military force of ours in the heart of their country?—They are so scattered, that a small military force would be quite sufficient to keep them in check, even if they offered any resistance, which they would not be likely to do.

3944. What do you mean by a small force?—A company.

3945. Did you ever see the New Zealanders assembled in any number?—I saw them assembled in considerable numbers upon the occasion of their going down to fight at a place called Towrongha, four years back: they were estimated to amount to about 3,000 men.

3946. Were they tolerably well armed?—Very well armed.

3947. They are a strong, powerful race, are they not?—Exceedingly so.

3948. And very courageous?—Their courage is of the description that we meet with in wild beasts.

3949. Are they attached to their chiefs?—Very much so.

3950. Do you consider that a great degree of intelligence presides in their councils?—They are a very intelligent body of men.

3951. Under those circumstances, then, can you reconcile with that the probability of their allowing us to station in their country a single company of soldiers?—I do not presume that the company of soldiers would be looked upon by the New Zealanders as wishing to possess themselves of part of their territory: it would be very easy to impress upon their minds, which they would readily receive, I think, that it was for their protection, and for the preservation of order amongst the Europeans, that it was done.

3952. Which do you think the most likely, that they would be jealous of the presence of armed strangers, or that they would be thankful to them as protection?—I think they would receive them as a protection, and be glad of them, not only as a protection from offences committed upon them, but as a great inducement to persons of respectable character to reside among them.

3953. What number of English residents were there in New Zealand at the time

time you left it?—In the Bay of Islands there were four commercial establishments, I believe. Mr. *Thomas Trapp.* 9 May 1836.

3954. Were there any missionaries there at the time?—Yes.

3955. What progress had the missionaries made in disseminating Christianity amongst the natives?—I believe their progress is considerable: I resided at a considerable distance from the missionaries, so that I had no opportunities of judging personally.

3956. Did you see any New Zealand converts?—I believe I have seen them.

3957. What was your opinion of their conduct and manners, and of the sincerity of their conversion?—Their conduct is not quite consistent on some occasions. I have witnessed one occasion on which the conduct of one of those men was not at all consistent: but I do not know that that should be quoted as an instance for the whole, because I believe he had not conducted himself properly among the missionaries themselves.

3958. Is it your opinion that the presence of the missionaries among the New Zealanders is acceptable to them?—I think quite so.

3959. On what account?—They have introduced amongst them civilized habits and useful implements, which they seem to be grateful for.

3960. They seem to appreciate the blessings of Christianity?—I think they do.

3961. Could you judge whether the number of missionaries then upon the island was sufficient for the work which they had immediately in view?—I have no means of judging.

3962. Do you think it would be conferring a blessing upon the New Zealanders if the number of missionaries was augmented?—I think it would. I give this answer from a knowledge of the circumstance that the natives are always desirous of having Europeans to reside among them, arising from the advantages they derive from them in the way of traffic, and the preference they give to persons of respectable character.

3963. Did you ever hear of a case of a commander of a British vessel supplying a New Zealand chief with corrosive sublimate for the purpose of treacherously destroying one of his enemies, who either came to visit him or was his guest?—I never heard of the circumstance.

3964. *Chairman.*] How long is it since you left New Zealand?—Two years.

3965. In what capacity were you in New Zealand?—I was merely there waiting the arrival of letters from England.

3966. Were you shipwrecked on the coast?—Not on the coast of New Zealand; on one of the islands in the South Seas.

3967. Did you sustain any injury from the natives of New Zealand?—I was robbed on my first going to New Zealand, and I strongly suspect by Europeans, not by natives.

Captain *Allen Gardiner*, called in; and Examined.

3968. *Chairman.*] YOU are a captain in the naval service?—A commander. Captain *Allen Gardiner.*

3969. You have turned your attention to missionary subjects?—I have been travelling in a part of Africa with the hope to introduce missionaries.

3970. With what part of Africa are you acquainted?—Chiefly with the Zoolu country.

3971. What was the object of your visit to the Zoolu country?—To obtain the sanction of the king to permit missionaries to establish themselves in his country.

3972. Mr. *Lushington.*] Were you induced to make that application at your own instance, or at the instigation of any missionary society?—Entirely at my own instance.

3973. *Chairman.*] Did you not form some treaty with the king of the Zoolus, Dingarn?—I was requested to negociate a treaty with him, in order to prevent his army coming down and murdering the settlers at Port Natal.

3974. By whom were you so requested?—By the British settlers at Port Natal.

3975. Had you any instructions either from the British Government, or from the representative of the British Government in South Africa?—None whatever.

3976. Then you did it from no other authority than that which you derived

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from the settlers there?—I will mention the circumstances. There were frequently reports coming down of the intention of the Zoolus to attack the settlement of Port Natal; for some time it was not credited. At that time a friend was with me, who had come up the country in company with me; we endeavoured to call a meeting of the settlers, that they might combine together to form some general plan of mutual assistance, in case of this meditated attack. The settlers said, that they had been accustomed to these sort of reports, that it might not be true, but that, supposing it should be the case, they could very easily turn out into the bush, and would live there, it was very immaterial to them. We wished to be rather more protected than the shelter we could get in the woods, and we agreed to form a stockade, which was done by the assistance of the natives; after that was completed, the report became much stronger that they were coming to attack us, and the white inhabitants themselves became alarmed. At this time my friend had departed from me for the colony, and I was there alone. They came to me one morning, and asked me if I would attend a meeting of the white inhabitants. I asked them what was the occasion of this meeting; they said, to consult what was best to be done in case of an attack of the Zoolus. I told them that was the very thing we had been so long urging them to do, and I should be very ready to come and attend the meeting. We met together accordingly, and I thought, as I had been but a short time in the country, my wisest part was to hear all I could, and to say as little as I could. When they had all given their advice, having previously made up my mind what I should say, in case I was asked, I gave as my advice a plan for a treaty, which I thought it a good opportunity to enter into. But I should perhaps here mention, that the natives who are living at Port Natal had run away from the Zoolu country almost to a man, and this has been for a number of years a great cause of jealousy between the English at Port Natal and the Zoolu chief; he wishes to recover his people, and to punish them; and he was at this time meditating an attack purposely to chastise them for having deserted his country. As he had something to ask, and we had also something to grant, I proposed that we should make a treaty in this form: that we should say to him, that provided he would guarantee the lives and the property of all the individuals, black and white, at Port Natal, we, on our part, would never allow one of his subjects to come down to us again, but that in case of their coming down, and we should not have the power to return them back, we would immediately acquaint him with it; that, if we had an opportunity, we would send them back to his country.

3977. What is it that we had to offer to the Zoolu king?—Merely this, that we would not harbour any of the subjects that might come down to obtain an asylum at Port Natal.

3978. What was your own specific object in visiting the Zoolu country?—My own object was, and always has been, to obtain sanction for missionaries in his country. This was a thing that had occurred on my return to Port Natal, after being unsuccessful in the first object.

3979. Was your distinct object in visiting the Zoolus, to introduce missionary instruction among them, or was it with reference to the inhabitants of Port Natal?—Only with reference to the Zoolus; but on my return to Port Natal, having failed in my first attempt, the white inhabitants requested me to remain there and form a missionary station among the natives there, till further openings occurred.

3980. Mr. *Lushington.*] There is no missionary residence at Port Natal?—No; and there never has been.

3981. *Chairman.*] What is the number of European residents in the neighbourhood of Port Natal?—About 30.

3982. What is their object in visiting there?—A great part of them came out with a Lieutenant Farewell of the navy, who was the first settler at Port Natal; he was engaged in mercantile pursuits, collecting ivory and hides, and these were some of his servants; he was afterwards murdered. Some of the party remained there as settlers, and others have come out there since.

3983. In what year was Lieutenant Farewell murdered?—I think in 1829.

3984. And those persons have been residing there ever since?—A great part of them.

3985. Had the king of the Zoolu country made any incursion into the territory,

tory in the neighbourhood of Natal?—He had once driven them out, or rather they went themselves, from an apprehension of his making an attack.

3986. Mr. *Lushington.*] Who is the sovereign chief of Natal?—It belongs to the Zoolus.

3987. Is it a dependency of the Zoolu country?—Entirely.

3988. *Chairman.*] Have you any proof that the country in the neighbourhood of Natal was a dependency of the Zoolu country?—Quite so; because he orders people up from Port Natal, if he chooses, and the white inhabitants have frequently sent up to him to request that certain things might be done.

3989. And he was looked upon as the sovereign chief?—He was; and those were his people that he was wishing to reclaim.

3990. And they had abandoned his country and taken refuge at Port Natal?—They had taken refuge under the few English that were settled there, as they had guns, and they were more protected there than in their country.

3991. The settlers finally made a treaty with him?—Yes.

3992. Did he offer to us the sovereignty of the Natal country on certain stipulations?—Not at that time.

3993. Did he finally?—At the time I left him, he gave it over to me.

3994. What was the extent of this country that he gave over to you?—It extends from the Trigala river to the Umzimcoolu; but I should beg to say this was by no means at my suggestion; on the contrary, every endeavour was made on my part to shake off any responsibility, and I only accepted it in hope that something might be done for the settlers at Port Natal by the authority conceded by the Zoolu king being backed by His Majesty's Government.

3995. Was your object in making this treaty with Dingarn, that you might have greater facilities for the introduction of the Christian religion into the Zoolu country?—That would no doubt have been the effect of it; but my principal object was to avert the danger consequent on the situation in which affairs were then; it was necessary for our own safety, and it seemed to be the best thing that could be done at that particular moment.

3996. What was the extent in square miles of this country which he assigned over to you?—I should think about 20,000 square miles.

3997. Is it fertile land?—Very fertile indeed; I travelled over a great part of it in an attempt to reach the colony, in which I was obliged to go over a great part of it, and I found a very fine country, all of it fit for agricultural purposes, but a great part of it bare of wood.

3998. Mr. *Lushington.*] Was this country transferred to you as the representative of the British nation?—I do not think that the king of the Zoolus could understand the matter sufficiently: he was very much perplexed to know what to do with the English at Port Natal; they were frequently breaking faith with him and troubling him very much, and I had been with him upon former occasions, and he supposed that I had some authority there, and he wished to set the matter at rest that it might be put into some hands that could control them. I told him distinctly that I could not do it, but he persisted in saying that I should do it, and that he would give over the country to me.

3999. Did the English residents at Natal instigate the natives of the settlement to annoy their chief, Dingarn?—Not in the least; they gave umbrage to him by allowing them to remain there, though he had frequently asked that the deserters might be returned.

4000. Then according to your knowledge, the English residents at Natal had conducted themselves with propriety as far as relates to the natives?—As far as relates to the natives, but not as far as relates to the king of the Zoolus.

4001. Why not?—On many accounts; they had been instigators in taking away women from the Zoolu country in their waggons when they had been trading, and bringing them contrary to the direct orders of the king.

4001.* *Chairman.*] In any other respects had they violated the commands of the king of the Zoolus?—On one occasion, in a matter of trade, they went in the name of the king, saying, that the chief of the town where they were had been ordered by him to sell the cattle, which was not the case.

4002. And you think the king of the Zoolus had reason to complain of the conduct of the Europeans?—I am certain he had.

4003. And he would have been justified in fitting out an expedition to attack their settlement?—Yes.

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4004. Mr. *Lushington.*] In fact, the Englishmen residing at Port Natal had acted with bad faith towards the sovereign of the country?—So much so, that even after this treaty was contracted which they had asked me to go and negociate, the settlers broke it, and only two or three persons stood by me. I had to go and patch it up afterwards at the risk of my life.

4005. *Chairman.*] Are there not some very barbarous and monstrous practices prevailing among the inhabitants of the Zoolu country?—Not more so than among other barbarous nations.

4006. Is there not a practice of murdering children?—That was introduced by the predecessor of the present king. It is indeed a very inhuman practice; there is no doubt that children are either murdered, or that abortion is practised.

4007. Is that with reference to the children of the royal family?—Only with reference to his own particular women.

4008. Are you aware whether Dingarn had had children which had been put to death?—I frequently asked the question, and I have no doubt, from the answers I received, that either the child, or both the child and mother, were murdered.

4009. Dingarn was the successor of Chaka?—He was.

4010. Was he the legitimate sovereign of the country?—He was. The brother between Chaka and him was murdered; Chaka was first murdered, at which Dingarn was present. Another brother instigated the death of Chaka, and then the sovereignty was to have alighted upon the brother older than Dingarn, and Dingarn being envious of him occasioned his death, and he is now the sovereign.

4011. Then your belief is that Dingarn had assisted in the murder of his brother Chaka, and had caused the murder of another brother, and had also caused the destruction of his own children?—Another brother whom I saw murdered myself, who would have succeeded him.

4012. Mr. *Lushington.*] Do you conceive that he perpetrated this murder from the impulse of his own natural ferocity?—No, I do not. I think that in almost all those cases there was something leading towards it of a political nature. With reference to the brother whom I saw taken out and killed, from what I could glean among the natives, he had been implicated in an intrigue to wrest the government from Dingarn's hands.

4013. *Chairman.*] Had you reason to believe that he really was implicated, or only that he was accused of it?—I can hardly say. From the conversations I had with him, and from the appearance of the man, it was impossible to judge. There was everything most prepossessing; but the natives said that he and the other brother were implicated in attempting to wrest the government from Dingarn; that the other brother was killed, and that this brother was rescued by Dingarn himself.

4014. Mr. *Lushington.*] Were any of the Europeans concerned in these intrigues?—There were none in the country at the time.

4015. *Chairman.*] Did he practise considerable cruelties upon the population subject to him?—The laws of the country are such that almost everything is liable to be punished with death, should the king so adjudge.

4016. Did you observe him practise any cruelties with burning glasses upon some of his attendants?—Yes; I saw one man, one of his servants; he held him by the hand and deliberately burnt a part of his arm.

4017. Had that man committed any offence, or was it merely as an experiment?—Merely an experiment to gratify his own curiosity; he began by burning the grass under his chair, and he went on to burn his servant's hand.

4018. Upon the whole do you look upon him as a ferocious and savage tyrant?—No question of it.

4019. Mr. *Lushington.*] Where did he procure that burning glass?—I think that Dr. Smith had given it to him; it had been sent up as a present.

4020. Does the English settlement consist of any large number of houses?—There is only one there that you can call a house. The settlers live in the most disgraceful way, and very much as the natives do. There is not one of those that has a table or chair among them, except the mercantile agent who was there at the time.

4021. There is no form of government or police whatever there?—Not the slightest.

slightest. A man takes up his musket and fires at another. A Hottentot came to me and said "a man has fired at another;" but nothing could be done.

4022. There is no law, either native or European, but merely the law of force?—Yes. The wonder is that they have not cut one another's throats long ago.

4023. *Chairman.*] Did the country about Port Natal originally belong to the Zoolus, or was it acquired by conquest?—The Zoolus were a very small people; the father of Chaka was a very small chief; they have since divided into two large kingdoms, of which Umselekaz had one, and Chaka had the other.

4024. Having risen from a small chieftainship to two large empires, did that part of the country, in the neighbourhood of Natal, in the year 1818, belong to Chaka?—I should think there is little doubt that the tribes to which it belonged were tributary to the Zoolu chief at that period.

4025. Have you ever heard that that country belonged to the Flingos?—Flingos means a refugee; they are heard of over all that part of Africa; they are natives of tribes that had been scattered during the war.

4026. Are not the inhabitants of the neighbourhood of Port Natal a congregation of persons of various different tribes?—They are, but the principal of them are Zoolus; but the Zoolu nation itself is also made up of all kinds of tribes.

4027. Your only motive for visiting that country was the introduction of Christianity into the country?—Entirely.

4028. You framed a treaty with Dingarn, and the substance of that was, that you would not allow the deserters, for the future, to come any more into the country; but, that all the deserters that were then there were to be pardoned, and to sustain no damage from the king?—Yes.

4029. Upon what principle did you, as a British officer, feel yourself justified in promising to give up deserters to a barbarian tyrant?—Only upon the principle of self-defence. There was no law there; we were obliged to make some law ourselves.

4030. Are you not aware that it is contrary to the usage of nations, and contrary to the practice of Great Britain, under any circumstances whatever to give up persons who take refuge in this country for political offences against any other sovereign?—The country where we were was not under British protection, and it could not be obtained. The only resource we had was to obtain protection in the best way we could.

4031. If the chief was such a barbarian as he appears to have been, was it not natural that many of his subjects should wish to evade his ferocity, and to take refuge in our country?—If they had remained where they were, they would not have been molested.

4032. Did not it happen that the man that was burnt was molested; and did not it occur in other instances that you saw acts of atrocity committed by him?—Undoubtedly: the man I saw burnt was one of his servants, and he was just as much in his office the next day as he was before; he did not regard it in the least.

4033. Was not it natural that the female who was the mother of his child, and whom death awaited, and the death also of the child, should wish to escape from such an inhuman tyrant?—None of his women were at Port Natal.

4034. Was not it natural that any female about to give birth to a child by Dingarn, and knowing that death awaited the child, and probably herself, should have reasonable ground for wishing to remove from the country?—No question about it.

4035. Then upon what grounds did you feel yourself authorized to say, that those persons should not escape from a tyrant of that description?—All we said was, that we would not harbour them; if they came to us, we would send them back: we could not do less than keep good faith with him, as he had always treated us well.

4036. Are you not aware that it is contrary to the law of England to surrender deserters to other governments for political offences?—In a civilized state, where there is an actual treaty, I do not know what would be done; but situated as we were, I do not see that I could have acted otherwise.

4037. Do not you think that there are, if not in the law of England, yet in the Bible, of which you acted as a missionary, positive injunctions against the surrender of deserters?—I am not aware of any.

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4038. Supposing this passage to be in the Bible, "Thou shalt not deliver unto his master the servant which is escaped from his master unto thee: he shall dwell with thee, even among you, in that place which he shall choose, in one of thy gates where it liketh him best; thou shalt not oppress him?"—I consider that has reference to a Jew passing from one master to another. No one can suppose that it was intended to apply to the case of two distinct nations.

4039. Do not you think, that if in a state where slavery was tolerated, it was prohibited to deliver up a slave who had escaped, *à fortiori* we are not at liberty to deliver up a man who has escaped, not being a slave, and who has good reasons for escaping?—I cannot see it. I did not see any other method of assuring ourselves from being murdered than the way that we took.

4040. Did you think that in your desire to introduce Christianity among the Zoolus, you would be justified in being accessory to the death of persons who had a full right to escape from the ferocity of such a tyrant?—I was no further accessory than I was anxious to keep the treaty which had been guaranteed.

4041. But which you had framed?—I recommended it to be adopted by the English who were there.

4042. You were the person that framed the treaty?—I gave the advice, I acknowledge.

4043. Did you not also go to Dingarn, and form the treaty with him?—I was requested to negociate by the white inhabitants in their name.

4044. Was not it a specific part of your agreement that no evil should result to those who had already deserted from his territory?—It was.

4045. Was there not a man of the name of Mankanjana, a relation of Dingarn's?—He was no relation of Dingarn's; he was a chief's son.

4046. He had deserted previous to the treaty?—He had.

4047. Then if the treaty bound you only to deliver those that had subsequently deserted, upon what principle did you feel yourself justified in being accessory to his delivery up?—Because Dingarn told me distinctly, that he would not enter into any treaty unless he was sent back: at the same time, he promised me his honour that he should not be punished at all, in the presence of all his chiefs; that he should merely be sent up to testify that we meant to adhere to the treaty.

4048. You are understood to state that the treaty had been formed and ratified between you and Dingarn, and that at a subsequent date it was that he for the first time mentioned the restoration of Mankanjana?—It was.

4049. And it was no part of the original treaty?—No; but after he had arranged this treaty he called me to him, and told me that he must have Mankanjana back; he said that he would not ratify the treaty unless he was sent back.

4050. Had the treaty been sent off at that time?—It had not been received.

4051. Were you not aware that notwithstanding the promises of Dingarn, this man would be put to death when you took him up?—No; I had not the least idea of it, or I should never have gone up.

4052. Did not the family of a chieftain escape also with some children?—Yes; two women and two men, and I think three or four children.

4053. Were you accessory to the capture of those persons?—They were captured before I returned.

4054. Had they not escaped before the treaty was formally ratified?—No; it was after the treaty was ratified; that was the reason I went up with them, because I hoped they would not be permitted to suffer under the treaty.

4055. Were you not aware that the almost inevitable consequence of returning those persons would be that they would be put to death?—Yes, I was fully aware of that, which made me accompany them in the hopes that I might obtain their pardon.

4056. Were you not almost hopeless of rescuing them from death?—Not at all; I felt almost certain of it; indeed it was promised me when I went up; it was merely in consequence of one of the chiefs breaking his faith that they were murdered.

4057. Have you not stated in your book that your object in going was to communicate religious instruction to persons who were so near on the verge of eternity?—Yes.

4058. Then

4058. Then how do you reconcile that with the expectation of their lives being spared?—I could never be certain whether they were or were not to be spared; but I had great hope, from the influence I had with the king, that he would spare them.

4059. It appears that Mankanjana escaped; did not you take means for recapturing him?—Yes, he escaped three times.

4060. And three times you pursued him?—He was pursued; I went in one direction after him; he was brought to me by one of the people employed, not by me, but it was the general feeling of the settlement that he should be sent back to testify our sincerity.

4061. What was the fate of Mankanjana and the others?—I was told that they were taken out in the usual way, struck on the head, and killed in that manner.

4062. Did you see them undergoing the process of starvation to death?—I saw them in a very distressing state; they had nothing to eat for two days, and there was an evident intention they should be starved to death; but this was after Dingarn had positively told me that they should not be killed, and I could not conceive how he intended to treat them till I found it out.

4063. Did not this act of the restoration of these deserters excite favour on the part of the Zoolus to the British inhabitants of Natal?—It certainly did, because it showed them that there was a degree of sincerity, that they intended to abide by what they said, and that is what is still wanting very much.

4064. Do you think that a body of persons that had been guilty of aggressions against the king of the Zoolus, who were strangers to the country, and who had only landed there for their own purposes of trade or otherwise, had any right to give up those natives to almost certain death, for the purpose either of the preservation of their own safety, or for any missionary purpose?—The position of the white people at Port Natal is very different from what might be imagined. I never saw a state of society similar to it; though they have come there comparatively but recently, they have become actual chiefs; they are looked up to by the natives as chiefs of clans, and they pay them the greatest respect; and when they go from them any length of time, when they return again they pay them all the marks of respect that they do to their highest chiefs; they are looked up to as the representatives of those people, and every thing that they do is considered as done by the ruling chief.

4065. Do you think that the white people, having committed aggressions against the king of the Zoolus, had any right to win favour with him by the surrender of those persons, who might have very good reasons indeed for trying to escape?—Undoubtedly not; it was never their intention to gain favour by anything of that sort.

4066. But to avert punishment, which justly would have fallen upon them for their aggressions?—I do not see how an Englishman keeping his word could act otherwise; the treaty had been formed, and we were called upon to substantiate that treaty.

4067. Had you any right to form a treaty to that effect?—I may have been in error in the advice which I gave, but I am responsible for it, and I thought we were perfectly justified.

4068. Do you think, that it became the servants of His Majesty to offer themselves for the purpose of apprehending deserters from the king of the Zoolus, or to be accessories in delivering them up to his enormous cruelties?—Certainly not, taking the question abstractedly; but taking the situation in we were, I feel that I was justified in what has been done. It was a most painful duty to me to undertake, but I should do the same if I were in the same circumstances again.

4069. Do you think, with all the importance that you attach to missionary exertions, and to the benefits which would undoubtedly flow from them to the inhabitants of the Zoolu country, that anything whatever on earth could justify the being accessory to the delivering up to such a tyrant defenceless women, who in all human probability would be exposed to a most cruel death?—One thing must be considered; we were living in his country, we were his very subjects, and as such it was our bounden duty to send back those people; he could have come and taken them if he chose.

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4070. Were there not some thousands of deserters there?—There were about 3,000 natives altogether, and among these a part of one of his regiments, consisting of several hundreds, had deserted.

4071. Do you believe that it is likely that the blessing of Heaven would rest upon missionary exertions, the first act of which was to deliver up these deserters to the ferocity of such a tyrant?—I cannot see why there should be no blessing attached to a mission commenced in that way; it was a most unfortunate commencement; but it was a necessary thing: we could not defend ourselves in any other way. We could never anticipate the way in which he would treat them, and we thought that by entering into such a treaty it would so frighten the natives that none would run away to that place again, and it will have that effect no doubt in future. When I went up with those people I hoped that they would be saved.

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*Mercurii,* 11° *die Maii,* 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Charles Lushington. |
| Mr. Andrew Johnston. | Sir Rufane Donkin. |
| Mr. Wilson. | |

MR. FOWELL BUXTON, IN THE CHAIR.

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Captain *Allen Gardiner,* called in; and further Examined.

Captain *Allen Gardiner.*

11 May 1836.

4072. *Chairman.*] THE children who escaped with the female chieftain were afterwards captured by the British, were they not?—They were.

4073. They were sent back to the king of the Zoolu country?—Yes, they were; the two elder ones were sent back; the younger children were not given up; they were considered too young.

4074. What were the ages of the two that were sent back?—They were young women; I cannot say as to their age; it is difficult to ascertain that as to natives.

4075. Did not the chief with whom they were connected intercede for them?—He did.

4076. Were not some efforts made by the natives to set them at liberty?—I was not at Port Natal at the time; but I heard the circumstance related afterwards.

4077. Did they not at one time escape?—They were rescued from the persons who had been sent to take them from the village.

4078. Did the British again exert themselves for their recovery?—They did.

4079. Did they threaten to put the chief to death who was disposed to harbour them?—One of the individuals went forward, and said, that if they were not delivered up by sunset, he would fire at him.

4080. What reply did the chief make?—He delivered up the children.

4081. Did he express any deep feeling upon the subject?—I understand he did.

4082. In what way?—As being related to them, he expressed a great disinclination to giving them up.

4083. Did he offer himself to be sent bound to Dingarn in place of them?—I was so informed.

4084. In sending those girls back, was it not but too certain that the consequence would be fatal to them?—From former experience the probability was certainly very great.

4085. Do you know for what motive they abandoned their country?—Not the least.

4086. Did it not come to your knowledge that a number of others who had deserted from Dingarn's territory, amounting in number to 16, were captured, for the purpose of being restored to him?—I understood a number had deserted, probably to that amount, but they never were captured.

4087. What was the moral character that the Europeans at Port Natal had, generally

generally speaking?—They were but too notoriously living generally in a very immoral state.

4088. The Committee infer, from the open manner in which you have detailed to this Committee, and to the public in your book, the particulars of the treaty, and the melancholy consequences resulting from it, that you were under the impression that you were fully justified in the measures you adopted; but do you not now hold it impossible for the British Government to sanction a treaty which shall render it necessary for them to be instrumental in capturing and delivering into the power of Dingarn those of his subjects against whom no crime is proved, but that of having quitted his territory?—I think it will be perfectly possible to make that treaty the basis of friendly relations with this country and the Zoolu, as also with our possessions in South Africa, and productive of great benefit, not only to the settlers themselves, but to commerce and civilization in general. On the terms on which the treaty is at present established, it is now evident that it cannot be maintained, because there is no efficient police, nor any form of government at Port Natal; but if His Majesty's Government took any cognizance of that settlement, then means might be devised to obviate the necessity of sending them back to the Zoolu country, by placing deserters under temporary confinement, and afterwards passing them out of the country, or subjecting them to some other punishment rather than to the inhumanity of so barbarous a tyrant.

4089. You think it would be possible the colony would be placed in the situation of Europeans being permitted to inhabit the country, and yet of not being exposed to the necessity of restoring the deserters?—Certainly.

4090. Did you report your proceedings to the governor of the Cape of Good Hope?—I did.

4091. Did he send that report to the Government at home?—He did.

4092. Did he approve of the treaty and the measures you had adopted?—So much so that he wrote a letter to Dingarn, expressing his approbation of the terms of the treaty.

4093. He acquiesced in the propriety of restoring those deserters?—He made not the slightest objection to any part of the treaty, after having minutely read it, but told me distinctly he approved of all.

4094. Mr. *Lushington.*] Are you aware that that approbation was ever conveyed in writing?—I am; I saw the letter Sir Benjamin D'Urban wrote upon the subject.

4095. Have you a copy of that document in your possession?—It is now with Lord Glenelg; I brought home the despatch myself; I have no copy of it.

4096. In what mode are the commercial relations of our traders with the Zoolu country conducted; is there a commercial connection kept up through Port Natal, or does it come immediately over land from the British territory?—There have been two modes of carrying on the trading intercourse with the Zoolu and the adjacent countries; in times of tranquillity it is frequently carried on over land by means of waggons, but of late years a vessel has also been employed between Algoa Bay and Port Natal, a mercantile agent being resident at Port Natal for the purpose of regulating the trade.

4097. Is that mercantile agent recognized by the British Government?—Not at all, it is quite a private speculation.

4098. Is he recognized by Dingarn?—Yes; but only as a private individual.

4099. Do you imagine Dingarn attaches any political character to his functions?—I am sure he does not.

4100. Is it your opinion that measures should be adopted without delay for the purpose of preventing the traders injuring the natives?—If it is desirable to uphold the British character in the eyes of the natives, and not to permit it to be debased in the estimation of civilized nations, it is highly important something of that kind should be effected, and that without delay.

4101. Are you aware of our traders having given much offence to any chieftains in that quarter?—I am.

4102. Can you describe any instances?—In the evidence I gave on a former day, I mentioned two instances which had appeared, and which are reported on the Minutes.

4103. On your return from the Zoolu country, did you visit any of the

Captain *Allen Gardiner.*

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missionary stations in Caffreland?—Both in going and returning, I visited several of them.

4104. Which were they?—Buffalo, a London Missionary Society's station; Butterworth, a Wesleyan; Moray, Wesleyan; and Bunting, Wesleyan.

4105. Did it strike you that the presence of those missionary stations had tended to civilize the surrounding inhabitants and those who resorted thither?—I think the word civilized is rather too strong to be used in conjunction with their efforts.

4106. Is it your opinion that their efforts tended to reclaim the natives to a certain extent from their barbarous habits?—Undoubtedly; but they have not yet had that effect in the measure which is anticipated.

4107. Did you become acquainted with any real intances of conversion to Christianity?—My passage through the country was very hasty; I could not from my own observation reply to that question, but I have no doubt from the statements which I heard, and which I can fully credit, there must have been many such instances.

4108. Is it your opinion the missionaries ordinarily confine themselves to their spiritual duties in their communication with the natives?—There are situations in those countries that render it almost impossible entirely to confine themselves to their spiritual instruction.

4109. It never came to your knowledge that the missionaries had exercised any undue influence in a political point of view?—None of those missionaries with whom I have had intercourse in that part of Africa.

4110. Did you hear that the missionaries had been very influential in preserving the lives and property of individuals during the late warfare with the Caffres?—I not only heard it, but I had full experience of it myself.

4111. Have the kindness to describe its effects more specifically?—I owe my return to the colony, under Providence, to the instrumentality of the missionaries who accompanied me.

4112. Are you of opinion that if you had been travelling by yourself, unprotected by missionaries, your life would have been in danger?—Certainly; while travelling through the Amacosa tribes; they call them Caffres, but there is no such word as Caffre.

4113. Were you quite unattended except by the missionaries when you travelled through the Caffre country, in your way to Port Natal?—It was on my return to the colony, after the war, that I was accompanied by two missionaries; on my way to Port Natal I had no assistance from them of this nature.

4114. Did you estimate the number of Caffre tribes as very large, and did you observe any appearance of their having decreased lately, or their country being desolated?—It is quite impossible for me to give any opinion upon that subject, as the villages are very much detached from the line of road commonly taken in passing through the country; and their habits are so migratory, they frequently move a village in the course of a few months to another spot.

4115. Are the Zoolus much more powerful than the Caffres, commonly so called?—Much more.

4116. Are not the Amapondas and Amatembu frequently robbed of their cattle by tribes from the north-east, the Zoolus, and other nations?—Of late years there have been no wars between the Zoolus and the Amapondas.

4117. How do you explain the amity which subsists between those two tribes?—Because they are not in contiguity; there is a deserted country of 180 miles between them.

4118. You conceive if it was not for the intervention of that deserted country, the Zoolus would overrun the Caffre tribes?—Undoubtedly; for it was the Zoolus drove the Amapondas further south.

4119. Are you of opinion that the occupation of the deserted country by the British would tend to the security of the Caffres?—I am sure that, to a certain extent, if that country was taken possession of by the Crown of Great Britain, it would produce the happiest result, not only to our own settlements in South Africa, but to the best interests of the natives in the interior.

4120. What

4120. What would be Dingarn's feeling upon the subject?—The opinion I have given refers to that portion of the land which he has given up voluntarily, and which he would be very desirous to put under the control of the British Government, and as expressive of this desire, he has actually given it over to me, desiring it might be put under British protection.

4121. The Committee are to infer that he is desirous to have our intervention?—He wishes some efficient control established at Port Natal over the settlers.

4122. Does it not appear to you that it would be difficult for this country to maintain the occupation of that country at such a distance from our military posts?—I am quite of opinion it would maintain itself with a very trifling expense on the part of the English Government.

4123. How would supplies and reinforcements be conveyed thither?—By water to Port Natal.

4124. Sir *R. Donkin.*] Do you think it would be possible for our Government to establish a system of commerce and authority with the Caffre tribes generally, by means of commercial and diplomatic agents, of prudent and honourable character, without having recourse to the aid of missionaries, whose duties being of a higher nature than commerce or diplomacy, one may suppose to have their minds drawn away from ordinary pursuits, to the more important one of introducing the Christian faith?—A more desirable plan could not be devised, or one which would so satisfactorily relieve the missionaries from a number of difficulties in which they are now placed; and I am quite convinced that such a measure would tend more to the amicable settlement of that country than any other that could be proposed.

4125. You think then that it would be desirable to leave the missionaries in the sole exercise of their religious pursuits, without clothing them with political duties of any sort?—Most decidedly; and I am quite convinced, from what I have seen of them, they would all be thankful for such a relief.

4126. You therefore think that commercial and diplomatic agents, sent by the Government, might be useful in efficaciously following up commercial and political relations and friendships with the Caffre tribes?—If faith is kept on broad English principles with any native tribes, there is not the slightest doubt but amity and friendship will follow. I beg to say, that when I say if faith is kept, it is not with reference to the individuals proposed, but with reference to the measures which the individuals might be authorized to carry into effect, because though they might be the most upright honourable persons alive, if they have not full liberty to act, or their measures are thwarted by continual alterations in Government orders, the natives cannot distinguish between the Government and the man, and they will say at once you do not keep your faith.

4127. Mr. *Lushington.*] What is the physical character of this deserted district to which you have referred?—The coast belt, for about 25 miles, is exceedingly fertile and sufficiently wooded for every agricultural or building purpose, but further than that, as far as I have seen, it is more destitute of trees, till you come to the mountains about 100 miles inland.

4128. Does it afford favourable sites for military positions?—Amply; it is well watered throughout, the country is waived into hills and valleys.

4129. Is the Umzimcoolu navigable for boats of any size?—There is not a navigable river on the whole of that coast; some of the rivers are large, but the generality have bars at the entrance; there are only two on which a landing can be effected in a boat from Delgoa to Algoa Bay.

4130. Is the river dry?—The Umzimcoolu is never dry; it has a large body of water of considerable depth.

4131. Is it so broad and deep throughout as to afford a barrier?—It is; it forms a very fine natural barrier, and during half the year it is very difficult to pass, the natives having no canoes.

4132. Though Dingarn, the present chief of the Zoolus, is favourably disposed towards this country, and desirous to cultivate our friendship, supposing he or his successors were to entertain contrary sentiments, and supposing we occupied the deserted district above referred to, should we not be placed in a situa-

Captain *Allen Gardiner.*

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tion of difficulty, if not of danger, being stationed between the Zoolus, then hostile, and the Caffres, who might be induced also to injure us?—The nearest natives to the southward are the Amapondas, who are a most friendly and a very powerful nation, only inferior to the Zoolus in power, and are never likely to coalesce with the Amacosa; and even at this present moment I should not have the slightest hesitation, after three months training, if necessity required, to withstand the whole Zoolu army with the natives at Port Natal, without a British subject under my orders. I say this because they have the use of muskets, and the Zoolus have not.

4133. Are you aware whether American vessels ever resort to Port Natal?—They have been frequently seen on that part of the coast.

4134. What do they generally bring to trade with the natives?—Delgoa Bay is their general place of resort, but they have no direct trade there; it is their whalers who frequently visit Delgoa Bay.

4135. Are you aware whether the Americans have ever supplied the Zoolus with arms or military stores?—I am quite certain they have not.

4136. Is it consistent with your knowledge that the Americans have furnished the Europeans at Port Natal with muskets or gunpowder?—I have not the least idea that they have ever; I should say certainly not; but it is impossible to say what may have been done in a whole country; as far as my own experience and knowledge goes, I should say that they have not.

4137. What is your opinion of the peace recently concluded with the Caffres?—I think that if the territory which has been conquered most justly from them be retained, there will never be a Caffre war in future; but if it is given up to them again, they will mistake that for an act of weakness on the part of our Government, and they will be encouraged to further acts of aggression.

4138. Do you think that the Caffres have been treated with indulgence and consideration in this treaty?—Quite as much as they deserved.

4139. Do you think they are likely to abide by the provisions of it as far as they are concerned?—Only under the chastisement of English law, if they should break their agreements. There is no dependence to be placed upon a Caffre's word; I speak of the Amacosa only; the Amapondas may be trusted, and the Zoolus also.

4140. In your judgment, we can only secure their attachment by the influence of fear?—I am quite certain of that, from the intercourse I have had with them.

4141. Have you any general suggestions to offer, with a view of improving our intercourse with the native tribes on the eastern frontier?—I think it would be very desirable that some arrangement should be made for the upholding of the British character at Port Natal; as, if the settlement is left in a lawless state, it is likely very much to prejudice our interests in that quarter of Africa, more especially so as any European power inimical to our government might establish themselves there; and in such an event, it would cost us an enormous sum to protect our own frontier in Albany.

4142. Would you recommend the location of an officer, under our government at the Cape of Good Hope, at Port Natal?—Nothing would be more conducive, I should conceive, to the interests of our colony, as well as to that of the natives: the ivory trade is too valuable, the soil too good, and the climate too salubrious, to suffer it to be long without some European occupant; and if we do not establish ourselves there, I have not the slightest doubt that America, or some other civilized power, will.

4143. Do you conceive that the natives would treat such an officer with respect?—They would be thankful to have him.

4144. You are satisfied such an individual would be supported in his authority by them?—Even the little influence I had there they saw was intended for their benefit, and they were willing to give me their whole assistance; how much more, then, would they support an individual whom they saw upheld by the Government of this country?

4145. In speaking of the natives, do you mean the chiefs?—The whole body of natives; the 3,000 inhabiting Port Natal.

4146. Returning towards our territory, have you any suggestions to offer regarding our treatment of the natives immediately beyond the frontier?—It would

would not be for me to offer any suggestions, from the little intercourse I have had with them; but I am sure, that if they are left to the judicious measures of Sir Benjamin D'Urban, they must be benefited. Captain *Allen Gardiner.* 11 May 1836.

4147. Did you observe any prominent defects in the existing system?—Not in the system which was existing when I passed through the conquered province; every thing was quiet; and I have no doubt it will be permanent, if the measures are allowed to be carried into effect, and which have partially been in operation.

4148. You expect very satisfactory results from the late pacification?—I do certainly; and quite the reverse, if any alteration is made in the boundary.

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*Mercurii*, 18° *die Maii*, 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Andrew Johnston. |
| Mr. Charles Lushington. | Mr. William Gladstone. |
| Mr. Wilson. | Sir Rufane Donkin. |

MR. FOWELL BUXTON, IN THE CHAIR.

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Mr. *Henry Rutherford*, called in; and Examined.

4149. *Chairman.*] WHEN did you leave the Cape?—In January of this year. Mr. *H. Rutherford.* 18 May 1836.

4150. What is your business and occupation at the Cape?—A merchant.

4151. In what part of the colony are you located?—At Graham's Town, in the eastern division of Albany.

4152. How long have you resided at Graham's Town?—Three years.

4153. You were a justice of the peace at Graham's Town?—I was.

4154. Did you, in the capacity of justice of the peace, receive certain depositions in the case of Erasmus and others?—Yes, I did.

4155. Were those depositions given in the connected form in which they have been presented to the Committee, or were they the result of certain questions that were put to the witnesses?—Partly both; the individual was called in, and he was requested to state what he knew respecting the commando, and then he repeated the circumstances, as it may be supposed, in rather an unconnected manner, and when he was deviating a little from the point, questions were put to him.

4156. Who were the questions put by?—The proceedings of the court were conducted by Captain Campbell, the civil commissioner.

4157. In what language were they carried on?—They were put, I believe, by Captain Campbell, through his clerk, who spoke the Dutch language.

4158. The conversation went on in Dutch?—The boors who gave their evidence were generally only able to express themselves in that language.

4159. How many of the boors were present at that examination?—But one individual was allowed to be in court when he gave his deposition besides Erasmus, who was the party charged.

4160. Were there any spectators in court?—Yes, several.

4161. What class of persons were they?—A variety of people; any one that chose to come in; it was an open court.

4162. Was there any person who was employed in any way to cross-examine those persons who came to give their depositions in favour of Erasmus?—The clerk of the peace, Mr. M'Crosty, I understood to be there in that capacity; he asked many questions.

4163. Who was he employed by?—I do not know; he was there in his official capacity.

4164. Did he examine them for the purpose of establishing the charges which had been alleged against Erasmus, or for the purpose of vindicating Erasmus from those charges?—I cannot say; I knew nothing of the proceedings of the court till I entered the court on that occasion. I took very little interest in it, being greatly engaged at the time.

4165. Were those persons who gave their evidence intelligent men?—I should consider them so.

Mr. *H. Rutherford.*

18 May 1836.

4166. Were they persons that bore a good moral character?—I know nothing of their character.

4167. Were they educated persons?—As much so as boors generally are; some whose names I see here I considered rather a superior set of men to the generality of boors; and I think that remark may apply to the frontier boors; they generally possess a greater degree of intelligence than those in other parts; Erasmus I consider an intelligent man.

4168. Are not the boors, generally speaking, persons of little education and little information, except that which immediately pertains to their own vocation?—If by information is meant book knowledge, I should say they possess none, but much natural shrewdness; but few of them read.

4169. Were the persons that you examined brought forward by Erasmus, the accused party?—Yes, I consider that they were; they came to substantiate the truth of the facts stated by Erasmus.

4170. What was the date of those examinations?—The 7th of January.

4171. Was there not considerable excitement upon the part of the boors against the Caffres at that period?—I should judge that there was, from their recently having most of them returned from a commando in Caffreland.

4172. The depositions were given in Dutch, were they not?—They were.

4173. Do you understand the Dutch language?—No, I do not.

4174. By whom were they translated?—By Captain Campbell's clerk; I forget his name.

4175. You are not personally aware whether the translation into English was accurate or not?—No, I am not.

4176. The Committee are to understand that the questions to the witnesses were translated into a language which you did not understand, and that the replies of the witnesses were given in the same language?—I think in most cases the questions were likewise translated into English, and I understand sufficiently of Dutch, although not accurately, to know most of the answers that were returned, and to understand the general purport of it. And afterwards, when the boor affixed his signature to the deposition, it was read over first in Dutch to the boor, and then in English to myself, translated, and the question was put, "Is that the truth?" and on the boor saying so, he signed his name, and I affixed my signature.

4177. You said you have resided at Graham's Town three years. Does it occur to you that any measures might be adopted which would be productive of a peaceable relation between the frontier natives and the frontier Europeans?—Yes, I consider that arrangements might have been made which would have tended to the peace of the colony, and to the averting of the calamitous events which have ensued.

4178. What is the nature of the measures that you would have thought it advisable to adopt?—I am not prepared to state that, it would embrace a variety of subjects, and it would require much consideration. I thought that the commando system and other measures pursued towards the Caffres were injudicious, and likely at some time or other, I could not say when, to lead to events similar to those which have occurred, but I should hardly feel myself competent to advise particular measures.

4179. Your impression, as a merchant resident there, and as a magistrate on the spot, is, that a more conciliatory tone in our proceedings with the Caffres might have averted the calamities that have taken place?—I consider so; I refer particularly to the commando system.

4180. You mean that the abolition of the commando system might have been productive of good effects?—Yes, I refer more particularly to that.

4181. Being a merchant, can you state the extent of the trade which is carried on with the Caffres?—I know it to be very considerable, but I have no means of stating it accurately.

4182. Had that been a growing and increasing trade?—Yes.

4183. Had it considerably increased in the last four or five years?—It originated within that period nearly, and had arrived at a very great degree of prosperity.

4184. If, therefore, these unfortunate events had not occurred, do you think it is possible that there might have been a growing and a thriving trade between the Europeans and the Caffres, much to the advantage of both parties?—Yes, I think so.

4185. Do you consider that now if a system of policy was pursued, which would keep us in relations of peace with the Caffres, that it is likely that that trade would revive and continue to increase, so as to cause benefit both to the Europeans and to the Caffres?—I am persuaded that it would; it is already going on to a considerable extent.

4186. Then for the sake of commerce and the advantages which both parties would derive from that commerce, you would be glad if another system instead of the commando system were adopted in the colony?—Certainly.

4187. Do you think that that mild system would be calculated to increase the influence of the Europeans, and to enable us to introduce amongst them the arts of civilized life, and also to hope to produce in them the principles of Christianity. By a mild system is meant the substitution of something better for the commando system?—Certainly; I think, under present circumstances, that probably the same measures that might have been adopted previous to the war, would not now be practicable, and that a different conduct probably would be necessary.

4188. Have you had an opportunity of visiting the missionary stations?—Yes, I have been at them frequently.

4189. Is it your impression that the labours of the missionaries amongst the natives are calculated to render them real and lasting benefits?—I think, decidedly they are calculated to produce that effect.

4190. Was it their object to enlighten their minds and lead them on in the arts of civilization, as well as to instruct them in the Christian religion?—I think that was the general wish of the missionaries in those cases with which I am acquainted.

Captain *David Bucham*, called in; and Examined.



4191. *Chairman.*] YOU have some experience with regard to the natives of Newfoundland, and have been employed by the Government for the purpose of holding some communication with them?—I was employed under the direction of Sir John Duckworth, the governor of Newfoundland, in 1810 and 1811, to endeavour to open a communication with the aborigines of Newfoundland.

4192. Was there a considerable body of natives in Newfoundland?—At that time I should apprehend, from the best information I could obtain, and from what I saw, that there could not have been less than 400 or 500 then in existence.

4193. Have you reason to believe that there had been a greater number at a former time?—I should think so.

4194. Did you succeed in opening a communication with them?—On the 24th of January, in the year 1811, I fell in with a party consisting of about 75 of them upon the Great Lake, which is directly in the centre of Newfoundland. That is all the number I saw, but I suppose that immediately in that neighbourhood there must have been a considerable number more, inasmuch as those with whom I was in conversation endeavoured to draw me to the opposite side of the lake, which evidently was from an intention to get me to where there was a large body of them, or their chief probably.

4195. Do you conceive that in that immediate vicinity there were the 400 or 500 persons that you spoke of?—I think in that neighbourhood.

4196. In other parts of the island there might be others?—There might have been scattered about, but I think that was the great resort of them.

4197. Will you state in detail all that took place during that excursion of yours for the purpose of holding communication with the natives?—I left my ship, which was blocked up in the ice in the River Exploits, on the 12th of January, and proceeded up the river, and after having passed a great variety of places where there were pretty manifest signs of their having lately resided, we at last lost all appearance of a trace of anything like human beings in the neighbourhood, but, as a matter of curiosity, I was desirous of tracing the river to its source, and in doing so I came upon the Great Lake, where I found those people. On the 13th of January I fell in with them, as already stated, and I had again to go down the river, upon which occasion four of them volunteered to go with me, in consequence of which two of my party were desirous of remaining with the natives. They did so, and on returning the following day, we found the whole party had abandoned their wigwams; and I am sorry to relate,

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relate, on retracing our steps, we found the bodies of our two men, who had been killed by the Indians. Evidently, it appeared to me, that they had been in the act of flight, endeavouring to run away from the wigwams, for they were shot with arrows that were stuck to their clothes, and they were headless.

4198. What became of the four Indians?—We had occasion to sleep one night, and the chief or head of the party that I was with, got into the woods, having traced our steps by the snow, and seeing that I had halted there one night he would not go further, but directed two of his men to go there. I happened to meet a man that I had left behind on going down the river; one of them took alarm, I did not know from what circumstance, and ran away; the other appeared to be a more generous and manly character; he was offered to return, but seemed to disdain the idea of doing it. He went down with us that night and returned the following day to the wigwam, when he found that it had been abandoned. The Indian that was with us was the first to see the bodies of the two unfortunate men, and on seeing them he ran away.

4199. Your object was to treat them with the utmost kindness?—My instructions were to treat them in the kindest manner; not to use any coercive measures whatever.

4200. Do you happen to have those instructions?—I have not.

4201. The object of this communication was for the purpose of entering into friendly relation with the natives?—It was.

4202. It was supposed that by holding some communication with them they might be made materially beneficial to the European inhabitants of the colony?—Just so.

4203. And also perhaps with the benevolent design of rendering some benefit to the natives themselves?—That was the intention.

4204. Mr. *Lushington.*] Are you aware whether those Indians had ever received any injury or affront from Europeans?—Yes; I am very sorry to say that many of them have been shot by our people, as well as by the Micmac Indians. The Micmac Indians are in the habit of coming over from the coast of Nova Scotia, and have now got fixed establishments in Newfoundland, and to them and to our people I attribute the whole of the tribe being extirminated: I do not believe there is one living now.

4205. Whom do you designate by "our people?"—I mean our fishermen and settlers upon the coast.

4206. *Chairman.*] You believe that this tribe, which, when you attempted to make a communication with them consisted of some hundreds, are now entirely extirpated?—I believe so.

4207. Did any cases of cruelty and atrocity occur which came to your knowledge on the part of the Europeans against the natives?—It came within my knowledge two of them having been shot, but that case came before a court of justice, and the parties were discharged: they were put upon their trial for murder, but it appeared that it was done in self-defence, or at least under the dread of losing their own lives.

4208. Mr. *Johnston.*] Where did that trial take place?—At St. John's, Newfoundland.

4209. Was the trial by jury?—By jury.

4210. *Chairman.*] What number do you suppose of the aborigines remain in the island at present?—I apprehend none.

4211. Will you state the reasons which induce you to form that opinion?—I have been absent from Newfoundland for some time, probably two years, and it appears I returned in the year 1819. In the previous spring there had been a woman taken called Mary March, from the circumstance of her having been taken in the month of March; she had been sent under the care and protection of Captain Glasscock, then commanding a ship of war in His Majesty's service, for the purpose of endeavouring to return her to her tribe, but he had not been successful. Upon my arrival, Sir Charles Hamilton was desirous of availing himself of my former information of the nature of the country to endeavour to do the same. In consequence of which I received her on board and conveyed her to the northern part of the island, and left her under the charge of one of our missionaries, the Rev. Mr. Lee, until I should think the time convenient to receive her on board my own ship, which was not till the month of November. She was brought up to me in November; it was extremely severe

and

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and cold, and she appeared to have suffered very much, and evidently in a rapid decline, and she unfortunately died in January, on board the ship I commanded. There my mission would have ended, for my orders were to return her to her tribe, but as that was not possible, the vessel being locked up in the river, I thought I could not do better than to convey the body to the place from whence she was taken, which was the Great Lake. She was accordingly secured in a coffin, and we proceeded up the Great Lake, and left her in the very wigwam from which she was taken. Nothing more was heard of the Indians till 1823, when several of them were seen in Notterdam Bay, three of whom were taken by a Mr. Paton, three women. I happened then to be in command at St. John's, Newfoundland, the governor being in England; they were brought to me, but having no instructions how to act, and no money to apply to any object of the kind, I desired Mr. Paton to take them and to endeavour to return them to their tribe, pointing out the place where I thought it was most likely that he would fall in with the Indians; they were placed there, and they appeared all to be consumptive, one of them very soon died, after being taken to Exploits River, and the other two returned back to Mr. Paton. It appeared to be a mother and two daughters. The mother soon died, and the survivor, who it appears was afterwards called ———— was brought to St. John's, and placed by the order of government under the care of several people, but ultimately under the care of the Attorney-general of the island. But she shortly became so very bad that she was sent to the hospital, and died on the 6th of June 1829. It was about the same period, in the month of March 1823, that the two persons I alluded to were shot, and I apprehend it was part of that party. The circumstances were of a rather extraordinary nature, and therefore I will state them: We had people settled on the coast of Newfoundland, for the purpose of carrying on the furriery trade in the winter months, and it appears that two of them were settled in a part of Notterdam Bay. One of them had gone into the interior for the purpose of examining the traps; the other, who staid behind, had gone upon the sea-coast for the purpose of seeing whether he could see any animals to kill, and was very much surprised to see two persons upon the coast apparently picking up fish among the rocks. He was very much alarmed, knowing that there were no Europeans there, and he ran off and returned to his wigwam, and was followed by the two Indians. He was very much terrified, but when he got to his house he there found his comrade just returned, who asked him what was the matter. He appeared very much alarmed, and in a dreadful heat. "Oh!" said he, "the Indians are close in upon us." "Oh!" said the other "nonsense, there are no Indians in this part, at this time of the year." However, he prepared his gun, and they advanced to meet the two Indians, and when they got within a short distance of them both the Indians stopped; but, after having some little conversation, apparently with each other, one of them advanced a little, and upon advancing, it is stated, that he held a knife in his hand brandishing about, and at last made a run towards our people. The gun was fired, but he fell down the moment he saw the gun presented. The shot, it appears, passed over him and unfortunately took effect upon the other that remained behind, which appeared to have been a woman. The moment the discharge was out of the gun the man rose up and rushed upon the two men, and in the scuffle was shot; and those two were the last I believe that have been seen of the natives of Newfoundland. Since that period, in the years 1826, 1827, 1828 and 1829, I believe, there is hardly a part of the coast of Newfoundland that I have not visited in company with Sir Thomas Cochrane, and we have had no reason to believe that there are any of them in existence, from what we have seen and heard. On one occasion we went up the Bay of Exploits, and saw the old traces, but nothing that could indicate anything like their having been there lately. I have got a map of that part of the island where I found them.

4212. What number of Europeans were settled upon Newfoundland?—The census taken in 1828 made them about 60,000. I apprehend that they have increased 4,000 or 5,000 since that time, and that the population may be considered about 65,000.

4213. Do you know whether it stands upon record, that upon the first visitation to Newfoundland, the inhabitants were found in considerable numbers?—I believe, previous to our visiting them some years before, they were in very large numbers, because they were seen almost in every part of the coast at one

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and the same time. In my time they have only been seen in one particular spot, that is confined to a short distance, about 150 miles from the coast.

4214. Mr. *Lushington.*] Do you suppose that the Indians occupied the positions that we now occupy?—Only for the purpose of coming in summer to catch fish and get birds.

4215. Were those the most favourable portions of the island for those pursuits?—The most favourable is the one shown in this map in the north part of the island; but at a period of only 50 years ago, they were seen frequently even in the neighbourhood of St. John's.

4216. Are you at all aware what reception they gave to the English settlers originally?—I believe that they shot our settlers with a bow and arrow wherever they could do it.

4217. They treated our people with great hostility?—I believe so.

4218. Mr. *Johnston.*] They had no other arms but bows and arrows?—No.

4219. Mr. *Lushington.*] But the ultimate consequence of our arrival in the island was to dispossess them of that spot which they occupied, and drive them into the interior?—It drove them from the coast into the interior; the consequence was that they used to come down by night and steal the people's boats and sails; in fact necessity made them do it.

4220. Did our communication never assume a more amicable character than that which you have described?—I think not.

4221. Did they never enter into any projects of barter with us?—They never had an opportunity; there appears to have been always a fatality in every thing that was undertaken. I believe the first attempt was in Lord Gambier's time.

4222. Did we ever supply them with spirits?—We never had a communication with them sufficient to do so.

4223. Then we have never attempted to conciliate them?—Never, till I went to them; there had been some attempts made a year or two previous by a small man-of-war going upon the coast; but there was no possibility of doing it that time, in the winter.

4224. Has any missionary ever visited them?—Not for that purpose.

4225. *Chairman.*] You have stated that they exhibited hostility to us; do not you suppose that from the first they deemed us to be intruders?—There is no question of it.

4226. Do you suppose that our occupying the stations in which they used to hunt and fish reduced them to considerable want?—It must have done so, for their summer maintenance certainly, when they came down on the coast to fish and to catch birds' eggs.

4227. What other means had they of subsistence?—Hunting deer; that was principally in the fall of the year; and that is one of the things that more than anything leads me to the conjecture that they must have been in very great numbers at one period, for I find, in looking over some of my records, that in one place alone they had fences run up to the extent of 30 miles, and a variety of fences from that, for the purpose of conducting the deer down to the water.

4228. In order to erect those fences there must have been a considerable number?—To keep them in repair from year to year.

4229. You are not aware that previous to the attempt made by yourself any attempt had been made to open communication with them?—I think not.

4230. Then no attempt had been made to impart to them the benefits of civilization and Christianity?—I think none.

4231. Then the effect of the visitation of civilised and christian men, as far as Newfoundland has been concerned, has been the entire extirpation of the whole body of the natives?—It has had that effect, I have no doubt; in fact, it was considered a meritorious act, at one time, to kill an Indian.

4232. Mr. *Lushington.*] In fact we deprived them of the best means of hunting and subsistence, and we took no trouble whatever to afford them any indemnification either in point of civilization or christian instruction?—There does not appear to have been any endeavour, on the part of Great Britain, to do anything of that sort, till Lord Gambier's time, when a woman was brought round

round to him, and Lord Gambier gave instructions to a person to return her with presents, and she was left at the place, and shortly afterwards the place was visited, and she was not seen. Captain *David Bucham.* 18 May 1836.

4233. Now supposing that another country should be visited by Europeans under circumstances somewhat similar to those in which we first visited Newfoundland, does it occur to you that any measures could be taken which would have the effect of bringing us into intercourse with the natives, and giving us an opportunity of imparting to them civilization and Christianity?—I think so.

4234. Do you entertain the hope, that by employing our resources in imparting benefits to them, we might not only be of use to them, but perhaps open a communication with them, which would be considerably useful to ourselves?—I think, in the first instance, when I was employed for the purpose of opening a communication with the Indians, had Sir John Duckworth's instructions to me left a greater latitude for my own action, I think I would have done it in this way. His direction was, that no compulsory measures were to be used, whatever the consequence was; that there would be very little hope that they would accompany me. But I would, upon that occasion, have taken a certain number down to the ship, and after treating them well, have allowed a small number of them to return with presents, and so on, a certain number every spring. That, I think, would have tended to induce them to open a communication with us. Since this unfortunate expedition of mine, I believe there has been no opportunity offered to do so.

Dr. *John Natterer*, called in; and Examined.

4235. *Chairman.*] HOW long is it since you left South America?—I left the Brazils in September last year. Dr. *J. Natterer.*

4236. How long have you been resident in South America?—About 16 years.

4237. Have you been resident among the Europeans upon the coast, or have you been much in the interior of the country?—I was travelling in the interior.

4238. What was your object in travelling in that country?—To make collections of natural history; I am a naturalist sent from the emperor of Austria.

4239. In what part of South America have you resided?—In the Brazils.

4240. Have you been in the neighbourhood of the Essequibo?—Yes; I was on the last fort which the Brazilians have, near the frontiers of Dutch Guiana.

4241. Have you had any opportunities of seeing and holding intercourse with the aborigines?—Yes.

4242. What are the tribes with whom you have come in contact?—Those are Makuschis, Vapéschanas, Porocotos, and Caripunas.

4243. Had you reason to believe that the natives, with whom you came into communication, had profited and become more civilized, in consequence of that intercourse with Europeans?—I do not know; I think they have not benefited, they almost all have now fire-arms; this, I think, is not good.

4244. Have we made any efforts to instruct them?—Yes; some efforts were made in early times, before the Brazils became independent under the new constitution.

4245. Mr. *Lushington.*] Are you speaking of the Portuguese or the English?—The Portuguese.

4246. In your intercourse with the natives at the back of the Essequibo settlement, had you reason to think that they had profited by their intercourse with Europeans?—I cannot say, because I have not seen many of those who communicated with the English or with the Dutch.

4247. Have you any reason to believe that the numbers of the natives, both in the Brazils and in the territory adjacent to Dutch Guiana, now British Guiana, have increased or diminished since they have become connected with Europeans?—Certainly, as regards the Brazils, they have diminished.

4248. With regard to the natives near the Essequibo, have they increased or diminished?—As to those I cannot say, because I did not enter those dominions.

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4249. Are you aware of any cases in which young persons of the Indian race have been captured in the neighbourhood of Guiana?—Yes; those nations I did not see; but I was told that the principal article of trade is young people, which they carry down the Essequibo, and which they exchange against fire-arms, and powder, and shot.

4250. With whom did they exchange them?—With the English or with the Creoles; it is a kind of mulatto people, who live higher up: they are called creoles from the Portuguese.

4251. Mr. *Gladstone.*] Did you ever understand that a traffic in the bodies of those young persons subsisted between the aborigines and the colonists of British Guiana, or any of the inhabitants of British Guiana?—Yes, I understood so from the Indians; because it is impossible to conceive how they get fire-arms: beautiful English guns, double-barrelled guns, and many articles, they bring from Essequibo.

4252. Had they nothing else to give in exchange?—They have hammocks, which they get from the Portuguese, and exchange them against the fire-arms.

4253. Had they no precious metals, or other articles, belonging to themselves, and accessible by them, which they might give in exchange for the fire-arms?—There are some living birds; they bring down little yellow paroquets, and bows and arrows, which the English are fond of as rarities.

4254. Mr. *Lushington.*] But no article of sufficient value to enable them to procure arms and ammunition?—No: in the Portuguese Fort St. Joaquim they procure salt and hammocks, and black ducks.

4255. Are you satisfied in your own mind that the aborigines do send down those young persons to be sold as slaves to the English of Essequibo?—I cannot say; it is probable.

4256. Is it a mere report, or do you think it is a fact?—Perhaps it happened sometimes in the earlier times. I have seen letters from an English missionary near this Fort of St. Joaquim, complaining of the Brazilians hunting those Indians to make them slaves.

4257. *Chairman.*] But you have no reason to think that at this time there is any trade carried on between the British and the natives in the bodies of those children?—I cannot say anything as to that.

4258. Did you see any proof that the English settlers at Essequibo, or the English Government, had taken any measures towards civilizing and imparting Christianity to those natives?—I saw only letters from the missionaries.

4259. Have you not been in the neighbourhood of the Essequibo?—I was in the neighbourhood; but I did not pass the frontiers of the Brazils: I was not in British Guiana; I was about 15 leagues distant from the frontier.

4260. Mr. *Gladstone.*] Your information is chiefly from the countries bordering on the Brazils, and has very little reference to the countries bordering on the British settlements?—Yes, it has very little reference to those.

4261. *Chairman.*] Are you aware of the extent of the Indian population which lies at the back of the Essequibo settlement?—I cannot say; but they are not considerable.

4262. Has it ever occurred to you to form any opinion as to the effect of the visitation of civilized men upon the morals and upon the numbers of savage people?—I think they do not become better.

4263. Do you think that they become more numerous?—No; less numerous.

4264. Then your general impression is, that the effect of the visitation of Christian and civilized men upon natives is to reduce their number and to impair their morals?—In the Brazils it seems that it has produced this effect; but not in Paraguay. The way in which the Jesuit missionaries acted, I think, was better; and there the people increased in number.

4265. Did the Jesuits take pains to instruct them and to civilize them?—Yes.

4266. And your impression is, that when those efforts were made to instruct and civilize them, it produced a beneficial effect upon them as to their morals, and also tended to protect their number from diminution?—Yes, I think so; but

but I am persuaded that they must be subject to a certain compulsion: the Indians will not work without some impulse, and they want some stimulus. Dr. *J. Natteret.* 18 May 1836.

4267. But you do not apprehend that we should have a right to go to a savage nation, and for our benefit compel them to work, do you?—I think we have no right to do that, certainly.

4268. But where no effort has been made to civilize and instruct them, you retain the impression, that the effect of civilized men coming into juxtaposition with savages has been, the diminution of their number and the deterioration of their morals?—Yes; I think it has not had a good effect upon them.

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*Lunæ, 6° die Junii*, 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Wilson. |
| Mr. Charles Lushington. | Mr. Andrew Johnston. |
| Sir Rufane Donkin. | Mr. Holland. |

MR. FOWELL BUXTON, IN THE CHAIR.

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*Dandison Coates*, Esquire, Secretary of the Church Missionary Society;
The Reverend *John Beecham*, Secretary to the Wesleyan Missionary Society;
The Reverend *William Ellis*, Secretary to the London Missionary Society;
called in; and Examined.

4269. To Mr. *Coates.*] HAVE any acts of cruelty and oppression, committed by Europeans on the natives, been reported to you by persons upon whom you can place reliance?—There have. There are two facts more particularly which I would submit to the Committee: one of them is a transaction which took place in Cook's Straits, in 1830. The transaction itself is detailed in a letter, a copy of which I hold in my hand, from the Rev. Samuel Marsden, senior chaplain in New South Wales, to General Darling, then the governor of the colony: it relates the circumstances at considerable length, as they were collected by Mr. Marsden, at Sydney, from two New Zealand chiefs, one of them Ahu, brother of the chief whose murder is related in the letter. The Committee, probably, will think it undesirable for me to read the document at length. I may observe, briefly, that it was the conduct on the part of the master of a British vessel, the Elizabeth, which was a flax trader in that part of New Zealand. This person, with a view to further his procuring a cargo, invited a chief, his family, and many of his people, on board his ship, from a tribe hostile to that with which he was carrying on his commercial transactions, and under an engagement to massacre those individuals if the tribe with whom he was trading would supply him with a certain quantity of flax. In the event, he did induce many of that tribe, and some of their chiefs, to go on board, and many of them were massacred. *D. Coates*, Esq., Rev. *John Beecham*, and Rev. *William Ellis*. 6 June 1836.

4270. Mr. *Lushington.*] Do you know the name of the master?—The name of the individual was Stewart. If I may be permitted, I would read an extract from the letter, commencing at the period when the New Zealanders were induced to go on board the ship:—

"At length the captain, by his attention and promises, prevailed with him to go into the boat. He took with him his youngest brother, Ahu, (who is now with me, and whom your excellency saw at Sydney,) and two of his daughters, young girls: two canoes attended him on board, laden with flax. When the boat came alongside, the chief had two marees, (which are hand-weapons of war, always used by the New Zealanders; they are generally made of stone, sometimes of hard wood): the captain took one of the marees from him, and Mr. Cowell the other. When they came upon deck, the captain desired Ahu to go forward to the forecastle. The captain then took hold of the chief's hand in a friendly manner, and conducted him and his two daughters into the cabin; showed him the muskets, how they were arranged round the sides of the cabin. When all was prepared for securing the chief, the cabin door was locked, and the chief was laid hold on, and his hands were tied fast; at the same time, a hook, with a cord to it, was struck through the skin of his throat, under

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the side of his jaw, and the line fastened to some part of the cabin; in this state of torture he was kept for some days, until the vessel arrived at Kappetee. One of his children clung fast to her father, and cried aloud. The sailors dragged her from her father, and threw her from him; her head struck against some hard substance, which killed her on the spot. Ahu, who had been ordered to the forecastle, came as far as the capstan, and peeped through into the cabin, and saw his brother in the state above mentioned. The captain told him he would not kill him, but he should be his slave, and he would take him to England with him. After the chief was secured, the boat was sent on shore, and brought off the 10 muskets and the two casks of powder. The chief's wife and two of the chief's sisters came with her in the boat, not knowing what had happened to Moweeterranne. The men that came off in the two canoes when the chief came were all killed, and the women who were with them. They had 100 baskets of flax with them, which were received on board the vessel. Several more canoes came off also with flax, and the people were all killed by the natives of Kappetee, who had been concealed on board for the purpose, and the sailors who were on deck, who fired upon them with their muskets."

This case was investigated by Governor Darling, in consequence of Mr. Marsden's communication to him, and means employed to bring the captain to punishment; but I understand the prosecution failed for want of evidence. The result was, that notwithstanding the atrocity and notoriety of the transaction, the guilty party escaped punishment.

4271. Do you conceive that the want of evidence arose from the circumstance that persons were unwilling to give information upon the subject, or that it arose from this, that there was no person upon the spot in the neighbourhood representing the British Government who could immediately have entered into an investigation of the circumstances of the case?—There was, probably, no European in that part of New Zealand, except those actually engaged in the transaction. The part where it occurred is remote from the spot where the resident, Mr. Busby, is situated.

4272. Was Mr. Busby there at the time?—I think not; I think it was prior to his appointment.

4273. Have you the date of this transaction?—Every date is stated in the paper relative to the transaction which I will deliver in to the Committee.

EXTRACT of a LETTER from Rev. *S. Marsden* to *D. Coates*, Esq. dated Parramatta, 10 September 1832.

I FORWARD to you the letter, or rather copies, which I wrote to General Darling, relative to New Zealand. Ahu, the young chief mentioned in this letter, lived with me from his arrival in New South Wales. He was an exceedingly fine youth, about 16 years old, and was eye-witness to the horrid murders which were committed by the united force of the Europeans and the natives upon his family and tribe. The young man grieved much for the loss of his friends, and gradually pined away till death removed him. He died in my house in October 1831, much lamented by us all.

COOK'S STRAITS MASSACRE.

Rev. *S. Marsden* to Governor *Darling*.

May it please your Excellency, Parramatta, 18 April 1831.

THE following is a statement given by Ahu, the youngest brother of the chief Moweeterranne, of the murders committed at Takou by the natives of Kappetee, and the Europeans belonging to the brig "Elizabeth," and Ware, the chief of the Bay of Islands.

Kappetee is a native settlement, situated on the west side of New Zealand, not far from Mount Egmont, at or near Cook's Straits. The name of the chief is Koroporo; at this settlement there is a good harbour for ships. Takou is another native settlement, situated on the middle island, and the south side of the Straits; the name of the chief of Takou was Moweeterranne. Some few years ago a chief belonging to Kappetee, named Tippahee, or Tupai Lupa, as he is sometimes called, went on board a ship ("Urania") that was on the coast, and would not leave her, he was so anxious to see England. On his way to Europe, he visited South America, and was both at Lima and Rio de Janeiro, in a Liverpool vessel, which landed him in Liverpool, where he met with very many friends. He visited all the principal towns in England, and also the city of London. He returned to New South Wales in the same ship that our present post-master (Mr. Raymond) came out in. On his arrival, he came to Parramatta, and gave me an account of his travels. He brought with him considerable property. After some time he returned to Kappetee to his friends; he was not long at Kappetee before he crossed the Straits, and landed on the middle island, and visited Takou; on his third visit to Takou, he was killed by the natives there, in consequence of some difference between the chiefs of Kappetee and the people of Takou. After his death, his brother came to Parramatta, and informed me that Tippahee had been killed at Takou.

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Not long after, four chiefs came to Parramatta from Kappetee; I introduced them to your excellency at Parramatta; they were invited into the drawing-room; Mrs. Darling and the children came in to see them; they sat down upon the carpet, and Mrs. Darling directed the servant to bring in a sweet cake, which was given to them. The head chief, Koroporo, was one of them. Since Tippahee, their friend and relation, was killed, the natives of Kappetee have been anxious to obtain satisfaction for his death, according to the custom of their country. When the "Elizabeth" arrived at Kappetee, the chief Koroporo had got a quantity of flax for sale; he offered it to Captain ——, if he would go to Takou and apprehend Moweeterranne, and deliver him up at Kappetee. To this Captain —— agreed, or Mr. ——, who appeared to have been an active agent in these horrid transactions. When the above arrangement was settled, the captain of the Elizabeth sailed from Kappetee, taking with him two chiefs and about 50 men as a protection. On their arrival at the harbour of Takou, the vessel was anchored, and the captain went on shore in his boat. The first person he met with was a very old man, sitting on the ground, smoking his pipe. This old man was the father of Moweeterranne. The captain went up to him and spoke to him in a kind manner, and stroked his head, saying at the same time, "Poor old man, poor old man." He then inquired of the old man where the head chief was; he replied that he was in the flax-ground with the women, who were dressing flax. The captain desired him to send a boy to call him, which he did. The captain had brought 10 muskets and two casks of powder with him, which were carried up to the chief's house to put him off his guard, as the natives state. When the chief arrived, the captain received him in the most friendly manner, and invited him to go on board, and promised him some muskets and powder. When the chief learned that the vessel had come from Kappetee, he hesitated much, and wished to know what the captain wanted with him on board; he told him he had plenty of muskets and powder, and he wanted to give him some; and he had already sent 10 to his house. At length the captain, by his attentions and promises, prevailed with him to go into the boat. He took with him his youngest brother Ahu (who is now with me, and whom your Excellency saw at Sydney) and two of his daughters, young girls: two canoes attended him on board, laden with flax. When the boat came alongside, the chief had two marees (which are hand-weapons of war, always used by the New Zealanders; they are generally made of stone, sometimes of hard wood); the captain took one of the marees from him, and Mr. —— the other. When they came upon deck, the captain desired Ahu to go forward to the forecastle. The captain then took hold of the chief's hand in a friendly manner, and conducted him and his two daughters into the cabin; showed him the muskets, how they were arranged round the sides of the cabin. When all was prepared for securing the chief, the cabin door was locked, and the chief was laid hold on, and his hands were tied fast; at the same time, a hook with a cord to it was struck through the skin of his throat under the side of his jaw, and the line fastened to some part of the cabin; in this state of torture he was kept for some days until the vessel arrived at Kappetee. One of his children clung fast to her father, and cried aloud. The sailors dragged her from her father, and threw her from him; her head struck against some hard substance, which killed her on the spot. Ahu, who had been ordered to the forecastle, came as far as the capstan, and peeped through into the cabin, and saw his brother in the state above-mentioned. The captain told him he would not kill him, but he should be his slave, and he would take him to England with him. After the chief was secured, the boat was sent on shore, and brought off the 10 muskets and the two casks of powder. The chief's wife and two of the chief's sisters came with her in the boat, not knowing what had happened to Moweeterranne. The men that came off in the two canoes when the chief came were all killed, and the women who were with them. They had 100 baskets of flax with them, which were received on board the vessel. Several more canoes came off also with flax, and the people were all killed by the natives of Kappetee, who had been concealed on board for the purpose, and the sailors who were on deck, who fired upon them with their muskets. After these natives had been cut off, two white men were observed to leave the shore in a canoe with two natives. The boat with sailors, and the canoe belonging to the natives who had been murdered, were manned with the people of Kappetee, who were ordered on shore to kill all the inhabitants they could find. They were directed to keep out of the way of the two white men who were coming to the vessel. When they arrived they went on deck, as they had brought some hogs to exchange for tea, sugar, &c. When they saw the situation of the chief, they cried much. The captain wanted the natives who were on board to kill them, and told them if they did not, they would go to Port Jackson and tell the Governor, and he would send and kill them. But the natives said they would not kill the white men, they did not like to kill them. These men had been with the chief of Takou some time; they had each of them a wife, and one had two children. The name of one of them is "Jem," and the other "Charley." They were both brought to Sydney in the Elizabeth, but returned to Takou the first opportunity. The evidence of these Europeans, if it could be got, would be very material. Ahu reports that the parties who went on shore murdered many of the natives; the poor old man was also killed; none escaped but those who fled into the wood. Mr. —— told Ware that he had shot five persons. The bodies of those who were killed on shore were dressed, and taken on board to eat. When they had got all the flax on board, the vessel sailed for Kappetee, with the chief, his wife and two sisters. When they arrived, they were killed, and their bodies dressed on shore and sent on board in baskets.

I have no doubt but the truth or falsehood of these statements may be fully established, for they were not done in private, and there are many Europeans both at Takou and Kappettee. At Takou Mr. —— has long had an establishment. The above account is correct,

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as far as I can obtain it from the two chiefs Ware and Ahu, as far as I can understand them. If necessary, they may be examined by any person who understands the language better than I do. I believe this statement will be found in point of fact correct. Mr. Shepherd has been confined to his room, from having an operation performed in one of his eyes. With all due respect I submit the whole to your excellency's consideration, not doubting but your excellency will afford every protection you can do to the natives against the acts of violence committed by the Europeans upon them.

(signed) *Samuel Marsden.*

Additional Observations on the Destruction of the Natives of Takou, by the Rev. *S. Marsden*, dated Parramatta, 18 April 1831.

On the Elizabeth's return from the southward, the captain put into the Bay of Islands. Young Mr. —— was on board, and Ahu, the youngest brother of Moweeterranne. Ware, one of the principal chiefs of the Bay of Islands, was well acquainted with Mr. ——, as Mr. —— had lived in his village several years when a boy. Ware had an interview with Mr. —— and Ahu. Mr. —— stated to Ware all the circumstances that had occurred at Takou and Kappetee, and how the natives of Takou were murdered alongside the Elizabeth, and on shore by the natives of Kappetee and the Europeans, and that he had shot five natives himself. This account was confirmed by Ahu, and fully believed by the natives of the Bay of Islands. The chiefs there were greatly incensed against the master of the Elizabeth, and it was determined by them to send Ware to Port Jackson to acquaint your excellency. When he had informed me for what purpose he had come, I introduced him and Ahu to your Excellency on Thursday last. A chief named Waikotto, who married the sister of Ware, accompanied the late chief Shunghee to England in the year 1821. They were both introduced to his late Majesty George the Fourth, and to his late Royal Highness the Duke of York. Both made them valuable presents. His Majesty told them they must not kill any of his subjects when they visited New Zealand, and they promised to obey the King's commands; at the same time the Europeans were not to kill the New Zealanders. The complaint which the chiefs wish to prefer to your Excellency is grounded upon the violation of the above agreement with his late Majesty. Ware comes as their representative. He wishes to know what right the Europeans have to interfere with the native tribes; he contends that it is unjust in the Europeans to join any party at war; that the Europeans have plenty of arms and ammunition which the New Zealanders have not; these arms and ammunition will always give the party they join a superior advantage over their enemies in time of war. The late horrid transactions at Takou have created great anxiety in the minds of the natives in general, and they look for redress and protection to the British Government, according to the promise made by his late Majesty to Waikotto and Shunghee.

I have no doubt but your excellency will see the absolute necessity of taking some measures for bringing the authors of the late murders to punishment. The act of the Europeans in killing the natives at Takou can be considered in no other light than an act of wilful murder, and in this light the natives consider it; and their law is, life for life. Until the natives are satisfied that protection will be afforded them, the Europeans who are there, or may hereafter visit those islands, will not be safe. In order to prevent future evils, I am most decidedly of opinion that some person should be resident in the island, to whom the natives can appeal for redress.

4274. Mr. *Lushington.*] Are you aware that evidence might have been forthcoming at Sydney, but that means were taken to suppress that testimony?—Evidence unquestionably might have been forthcoming from the parties engaged in the transaction; and I understand that every effort was made to obtain that evidence, but that through some means, of which I, of course, am not cognizant, that evidence was not forthcoming at the period appointed for the trial.

4275. You are not aware that any undue means were used for the purpose of preventing that evidence from being brought forward?—I have that impression, certainly; in fact, that was assigned as the only reason why the conviction did not take place.

4276. *Chairman.*] You have this statement upon the high authority of Mr. Marsden?—Yes, in an official letter to Governor Darling.

4277. Have you any other cases to state?—One other, in New Zealand, which relates to a transaction that took place in the Bay of Islands, in the month of March 1830, was a war between two native tribes, incited by the master of an English vessel then in the Bay, the Toward Castle, Captain Brind. It is related in a letter from Mr. Richard Davis, a missionary catechist of the Church Missionary Society in New Zealand.

[*The Witness read the Letter, as follows:*]

March 6th.—Alas! what a day of horror and distress this has been. Last night we left the contending parties apparently desirous of making peace; they were sitting about a mile distant

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distant from each other. The defensive party, which was composed of the natives of the bay, and of a few people from Taiamia, was sitting at their own place, at Kororarika, which is the harbour for shipping. The other party, who were the assailants, was sitting in Poroa Bay, and consisted of the late Hongi's party, the natives from Waimate, Rangihoua, and other tribes. As there are not more than two miles of water between us and Kororarika, by the help of our glasses we saw the assailants come over to the village this morning early, but from the conversation we had with both parties yesterday we hoped they were come over only to make peace, consequently we did not go to Kororarika. About an hour after we saw them come to the village we heard them firing, and distinctly saw they were firing in a horizontal direction, and concluding they were fighting, we launched our boat, and went over to the shipping. As the Royal Sovereign, Captain King, was lying not more than 200 or 300 yards from the scene of action, we went to his ship. I went on board, but Mr. Williams went on shore and landed, and endeavoured to stop the fighting, but was obliged to retreat to his boat, as a very brisk fire was kept up by both parties. This was a hazardous attempt on the part of Mr. Williams, as he was in much danger of being shot. The deck of the Royal Sovereign presented a woful spectacle of horror and despair. Many of the wounded men had been brought on board, and were lying on the deck in a mangled state. The surgeon was employed dressing their wounds, assisted by as many of the people as could be spared. Over and above the wounded, there were a great number of women and children, who had fled on board, from the village, for protection. I stayed on board, at the urgent request of the captain, to assist him in the management of the natives, &c. As the native village was expected to give way, and the natives to fly for the shipping for protection, and as they were likely to be followed there by the victors, the ships were put in a posture of defence, and the worst prepared for. But I had not been long on board before the assailants gave way, and fled in all directions. On seeing this, I went on shore, accompanied by Captains King and Dean. The sight was dreadful, as nearly 100 people were killed and wounded. Soon after we went on shore the assailants were permitted to come and carry away their dead and wounded chiefs, but the bodies of their dead slaves they left behind. As one of the bodies left behind was the body of a chief, but one of little note, one of the chiefs of the village ran out and with a hatchet cut the body open, and took out a small piece of the liver. This, they told me, was for the New Zealand god. After having visited both parties, and remained with them till near midnight, we returned home, much fatigued.—March 7th, Sunday. A great part of the morning was spent in dressing the wounded which had been brought to the settlement. In the afternoon the natives of Kororarika set their village on fire and came to our settlement. The poor creatures were full of terror and dismay; they were indeed as sheep without a shepherd; they did not know where to go or what to do. The assailants, although they had removed from Paroa in the morning, were still in sight, encamped at Matorua. We told them we could not let them stay at our place, because, by so doing, we should draw the whole army upon us. This, they said, they were well aware of, and accordingly left us in the evening and went up the river. This was indeed a distressing day: nothing but the immediate presence of God will satisfy the soul in trials like these.—March 8th. This morning the natives came from down the river again to our settlement. Not having settled what to do or where to go, one said one thing, and another, another. One said, "let us go there," and another said, "that place won't do, let us go to another." But after they had stayed with us nearly the whole of the day, and had heard from us that we intended to use every effort in order to make peace as speedily as possible, they seemed a little cheerful. In my conversation with them, I told them that I expected Mr. Marsden into the bay every hour, and that if he came he would also use every effort in order to restore peace among them. Just as I had finished speaking to them about Mr. Marsden, a vessel was reported, and the poor creatures eagerly asked if it were Mr. Marsden; I told them I thought it was, and having stayed till one of our boats had boarded the vessel, and given the signal that Mr. Marsden was on board, they all got into our canoes, and went cheerfully away to look out for a suitable place in which to fortify themselves. About three o'clock Mr. Marsden and Miss Mary Marsden safely landed at our settlement, to the great joy of us all. O that the Lord may bless his aged servant while he remains with us, and make him a blessing to us and to our poor natives!—This day, the 18th. A great part of our time since my last date has been taken up in visiting the assembled parties, in order to endeavour to bring about a reconciliation and conclude peace between them. This, through mercy, has been effected, and peace is once more so far restored among us. As you will no doubt hear the particulars of all our movements, and the manner in which the disastrous affair came to a conclusion, from Mr. Marsden, I beg leave to refer you to his communications for information. According both to European and native report, the master of the Toward Castle has been the cause of all this mischief. I hope the Lord will so overrule affairs that this enemy to all goodness may never come to the South Seas again. His proceedings have endangered our lives, and the lives of many Europeans besides. One of the captains who was lying in the port during the time of the engagement told us that the same person had been endeavouring to do the same mischief at Tangatapu also. It appears that a quarrel, of which he was said to be the sole cause, originated between girls and some women belonging to the native village at Kororarika, in which they swore at each other in a manner which was very insulting to the native mind. B. considered himself insulted by the insults which had been offered to his girls, (although his girls had insulted the other party in a similar way) and endeavoured to stir up the chiefs to seek revenge; but the chiefs being backward to take a cause of the kind in hand, in Brind's way, B. told them they were only slaves, and he should never think them any otherwise, unless they espoused his cause. It

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appears that he wanted them to go and kill the principal chief in the village at Kororarika, and because they refused, he threatened to go and do it himself; but he knew better than to take this step, because it would, in all probability, have cost him his life. On the 23d of last month a party of natives assembled at Kororarika, in order to revenge, or rather to make up the breach, but as those natives were not disposed to act according to B.'s direction, he threatened to fire upon them himself, and wished the other ships in the bay to follow his example; but the other masters told him they should do no such thing, and the consequence was, that being angry with them also, he went on board his own ship, set his sails, and weighed his anchor. As the late Hongi's daughter was one of B's insulted girls, her party did not come to revenge her cause until the 5th instant, the result of which I have already made you acquainted with. On the 6th, the day on which the battle was fought, I said to one of the principal chiefs of the late Hongi's party, after the affair was over, "My heart is very dark on account of the number of people who are killed and wounded, and I do hope you will speedily make peace." He said, "This battle has been fought on Brind's account, and don't you think he will now be satisfied with the satisfaction which has been taken for his woman, as a great number of our great men are now lying dead on that account? and do you not think he will now give me a great quantity of powder as a payment?"

Mr. *Coates*.] Mr. Marsden, who happened to be in the island at the time, wrote to the Rev. G. Bickersteth, then secretary of the Church Missionary Society, on the same transaction, one extract of which letter I will read:

"The origin of this present war proceeds from the most infamous conduct of one of the masters of a whaler. The chiefs contended that as the war did not originate with them, but with an European, the Europeans were answerable for all the consequences as a nation. They wished to know what satisfaction we would give them for the loss of their friends who had been killed; it was their right to demand satisfaction, and it was just that the Europeans should give it; it was not their own quarrel. I replied, all that I could do was to write to England to prevent the return of the master to New Zealand again. They requested I would not do this; they wished to get him into their possession, which they would do should he return, and then they would take satisfaction themselves. The immoral conduct of some of the whalers is dreadful."

4278. Have you any other facts that would bear upon that point?—I do not think we have them in a sufficiently definite form to lay before the Committee.

4279. Have you any other facts to state with respect to any other settlement?—With respect to New Holland. These perhaps do not fall strictly within the terms of the question, namely, "acts of cruelty and oppression." They relate to the pernicious influence of the immoral conduct of the Europeans upon the natives.

4280. Will you state them?—They are taken from the journals of the Rev. W. Watson, a missionary of the Church Missionary Society, stationed at Wellington Valley, New South Wales, and relate to the illicit intercourse of Europeans with the female aborigines. This is a source of the most afflictive and distressing consequences, and leads, I am afraid, beyond all question, to infanticide to a considerable extent.

4281. Mr. *Lushington*.] What are the immediate inducements to commit the crime of infanticide?—The inducement appears to be the obnoxiousness to the natives of the half-caste child. If a child has indications of white colour about it, that discovers its origin to them, and induces them to destroy it.

4282. Is the illicit offspring of this connexion generally exposed by the mother?—I infer from the facts detailed in the journals before me, that the infant is actually destroyed.

4283. Is that in consequence of the antipathy of the natives to the foreign connexion, or owing to the mother and the child being deserted by the father?—To the antipathy of the natives, I presume, to the offspring.

4284. How do you account for this great antipathy of the natives to the infusion of any European blood in connexion with the native?—I am not aware that I could assign any reason, except that it would appear from the contents of the missionaries' journals, that the natives regard this sort of intercourse with their females to be an injury to them.

4285. Do you ascribe it to any hostile feeling in consequence of the ill-treatment which they have received from Europeans?—I think not, other than that which is involved in the transaction itself, of the illicit intercourse with the females.

4286. And natural repugnance to the illicit intercourse of strangers with their wives and daughters?—I understand it so. One fact of this kind is thus related by Mr. Watson:

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"At this station I saw Rachael, the gin (or wife) to Bobby, king of Wellington, who expects every hour to be delivered; she was in the hut, attended by a black female and an old man, whom they named the doctor. She was here a short time ago, and I warned her not to kill the child when it should be born: she promised me that she would not. The man at the hut informs me that several blacks (whether male or female I cannot say) persuaded her to go into the bush, that the child might be destroyed as soon as it made its appearance; that she refused, saying 'Parson tell her not tumble it down; he be murra cooley (very angry) if she did.' He said they threatened to spear her if she would not, and so they prevailed; that he went and brought her back again by force. He says also that king Bobby knew of her going, and was willing."

That is under the date of the 6th of December. Another, under the date of the 8th of December:

"Two black gins came over from Kelley's very early this morning; but not before I had heard that Rachael had murdered her child. I asked them about it; they inquired who told me, but that I was not disposed to answer. They acknowledged that the child had been murdered, and they said that too by Kelley. I have been told to-day, what I fear is too true, that Kelley pays to king Bobby a certain portion of handkerchiefs, &c. for the loan of Rachael, and this child was his. The gins say it was narrang (little) white, narrang black. My soul is completely horrified at this conduct, and, alas! it is very common."

4287. *Chairman.*] Is that from a clergyman who is a missionary of your society in New South Wales?—Yes, at Wellington Valley in New South Wales, the Rev. William Watson.

4288. Mr. *Lushington.*] Are the Committee to understand that Europeans get possession of those females by actual violence, or other forcible means?—Not, I apprehend, by actual violence, but by a variety of other inducements.

The state of disease into which those females are brought in consequence of this illicit intercourse is another most distressing circumstance. I find many entries in the missionaries' journals descriptive of this. One, under the date of the 13th of March 1833:

"A large number from Manore came up to-day; about a dozen of them in sad condition; some of them were literally covered with wounds and corruption from head to foot, and not one willing to assist another. I have had their wounds to wash, dress, &c. myself; and none who has not beheld these poor creatures can form any adequate idea of such employment."

The next passage I will read is illustrative not only of the prevalence of the prostitution of aboriginal females to Europeans, but of the frightfully early age at which it takes place:

"We have received another girl into our family; she is an orphan of about eight or nine years of age. Her father died a short time ago in the bush, when none were with him but this motherless child: she looked out a piece of bark, put him into it, and then covered him over with leaves and earth. She was soon afterward taken by a native to be his yeenur, but an Irishman succeeded in taking her from the native, and keeping her himself in a very improper manner. The master of that person, much to his credit, made him give her up to him, and he immediately sent her to our house."

"It is impossible for our friends, who are surrounded with all the comforts and polite appendages of civilized society, to form anything like an adequate idea of the drudgery attendant on this mission. I often think that to have our residence in a charnel-house would be scarcely more disgusting than our employment here. We have generally some sick, and occasionally from half a dozen to a dozen at the same time apparently destined to an early dissolution; filthy and corrupt in their bodies from the ravages of the venereal, covered with sores, &c., and unwilling to move from their place on any account, or to do anything for themselves. I must wash and dress their wounds; their victuals must be prepared for and taken to them. Under such circumstances, it will be readily conceived that we must be attacked by a host of vermin, as well as be affected with the most unpleasant stench."

There is another relation of a fact of infanticide, which I need not trouble the Committee with reciting, but which I will deliver in. I beg to remark, that the principal individuals from whom this criminal conduct proceeds are those who are technically called in the colony "stockmen," who are employed in looking after the cattle and flocks of the settlers in the outskirts of the country, and who therefore are very much without the reach of the magistracy and police.

INJURIOUS AND DEMORALIZING EFFECTS UPON THE NATIVES OF THE CONDUCT OF THE COLONISTS.

6 Dec. 1832.—I rode over to a station to-day, and succeeded in obtaining a black boy, of the name of Buonaparte: he is about 10 years of age, and nearly wild. At this station I saw Rachael, the gin to Bobby, king of Wellington, who expects every hour to be delivered: she was in the hut, attended by a black female and an old man, whom they name the doctor. She was here a short time ago, and I warned her not to kill the child when it should

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should be born: she promised me that she would not. The man at the hut informs me that several blacks (whether male or female I cannot say) persuaded her to go into the bush, that the child might be destroyed as soon as it made its appearance; that she refused, saying, "Parson tell her not tumble it down; he be murra cooley (very angry) if she did." He said they threatened to spear her if she would not, and so they prevailed; that he went and brought her back again by force. He says also that king Bobby knew of her going, and was willing.

8 Dec. 1832.—Two black gins came over from —— very early this morning; but not before I had heard that Rachael had murdered her child. I asked them about it; they inquired who told me, but that I was not disposed to answer. They acknowledged that the child had been murdered, and they said that too by ——. I have been told to-day, what I fear is too true, that —— pays to king Bobby a certain portion of handkerchiefs, &c. for the loan of Rachael, and this child was his. The gins say it was narrang (little) white, narrang black. My soul is completely horrified at this conduct, and, alas! it is very common.

13 Dec. 1832.— —— came to-day to have his eye dressed, as he has done occasionally for a long time. I spoke to him in plain terms in reference to his connexion with Rachael, and the very great guilt which must attach to such conduct. I told him what I had heard: he denied its being true; he said the child was still-born. However, I gave him to understand that I firmly believed what I had heard. I had another circumstance against him; he had been beating, in a most severe and cruel manner, one of the black gins, who is old. He said that she had been taken away by the wild blacks into the bush; and he gave such a description of the scene of prostitution that was exhibited that day, by a company of 30 blacks, as I dare not record. He said that they would have murdered her two sons and her husband, had it not been for him and king Bobby, who said, "Parson would be murra cooley (very angry) with them;" and that it was her husband who beat her, after he (——) had brought her back. The old gin was brought up to me to-night by several others, in order that I might dress her wounds. She is indeed in a most wretched condition: she is very likely to die. They have made a fire near to the door of my study, and are to sleep there for the night. What are my feelings at the conduct of these English stock-keepers may be better conceived than described.

31 Dec. 1832.—Several black gins came up to-day in a most wretched state with the venereal.

4 Jan. 1833.—Several of the females were in a most deplorable state with the venereal; but I could not persuade any of them to remain with us for the purpose of taking medicine.

1 Feb. 1833.—Narrang Jackey, who left his young yeenur, Warrahbin, with us a short time ago, came up last week; and as she is now well, he wished her to go with him, he said, into the bush. She refused, and though we desired her to go, as she belonged to him, she seemed determined to remain with us. It appears, however, that Jackey did not want to take her into the bush, but to leave her with a man who holds a ticket of leave, and whom his master has thought proper to fix within a mile, and just opposite to our house. This person is the one whom I mentioned in my last as having too much reason to believe that he had murdered a child which a native female, who was living with him, had borne to him. This man, enraged at not obtaining Warrahbin, persuaded Jackey to circulate the report that he, Jackey, was going to engage a number of wild natives to lie in ambush, and to murder me whenever I should go to look out natives in the bush.

18 Feb. 1833.—A native female, who has been living a long time with a white man, came up last evening. She said that she would remain with us: as she is very near her confinement, and as I had too much reason to believe the little infant would be murdered, I used all means in my power to persuade her to do so; but to-day she has gone off. Her husband, Barthary, came this evening, and begged very much for me to give him a pipe. I asked him how he could expect me to give him a pipe, when he was in the habit of lending his yeenur to white men: the only answer he could make was the common one, namely, that white fellow always ask, "You lend me yeenur, you lend me yeenur?"

13 March 1833.—Several natives have been cutting bark for us these three days, to cover a hut for our men. A large number from Manore came up to-day; about a dozen of them in sad condition; some of them literally covered with wounds and corruption from head to foot, and not one willing to assist another. I have had their wounds to wash, dress, &c. myself; and none who has not beheld these poor creatures can form any adequate idea of such employment. But I am thankful that God gives me ability and a disposition to do it. Bobby, king of the Wellington natives, has long been complaining to me that a stockman (a mile from our house) had his yeenur, and would not give her up; that when he went for her, that person abused and threatened him, challenging him out to fight, and using other provoking measures. As Bobby had said the same to a gentleman who was in this neighbourhood a short time ago, I thought it my duty to go and desire the man to give up the yeenur to Bobby. This he did, but with such awful imprecations and threatenings to Bobby and all the natives around, as horrified my mind, and made me much afraid that Bobby would do the man some bodily injury. However, he did not resent it, but took his yeenur, and went up to our house in a quiet peaceable manner. The other yeenurs and native men were going away, being alarmed at the threats of the man. I told them, if they thought proper, they might remain there, as the land did not belong to him or his master, but to the governor. This is the man whom I mentioned in my last quarter's diary as being accused by the natives of murdering an infant which this same yeenur bore to him.

18 March 1833.—We have received another girl into our family; she is an orphan of about eight or nine years of age. Her father died a short time ago in the bush, when none were with him but this motherless child: she looked out a piece of bark, put him into it, and then covered him over with leaves and earth. She was soon afterwards taken by a native to be his yeenur, but an Irishman succeeded in taking her from the native, and keeping her himself in a very improper manner. The master of that person, much to his credit, made him give her up to him, and he immediately sent her to our house.

27 April 1833.—This night after prayers, going round as usual, to see how all the natives were situated, I missed the two yeenurs and the young child belonging to Woowah (Blind Bobby). I asked him where they were. He said, "Charlotte" (the child) too much cry, so yeenurs gone in bush to sleep. I did not believe that this was the case, as they had been sitting and sleeping near to the door of my study for nearly a week, and no complaint had been made. I was afraid that an assignation had been made between them and some white man or men. I was a long time before I could ascertain in what direction they had gone; but at length I perceived the glimmering of a fire at some distance. I immediately took two of our girls (Warrahbin and Murrahmil) and went to the place. There we found the two yeenurs and the child, apparently (but not in reality) asleep. I asked them why they had come there. The elder one said, "Charlotte too much cry." I told her I did not believe that that was the reason. When I came home, I informed Mrs. Watson respecting the circumstance. Mrs. W. had retired to rest, it being past 10 o'clock. She arose, and taking the two girls, we four went to the place. I now learnt from Mrs. W. that the elder yeenur had denied to her (two days before) that she was pregnant. So our suspicions now were of a different nature from what I at first had entertained. When we had come near to the place, we perceived, by the light of the fire, a white infant laid very near to it, and apparently struggling in the agonies of death, but not crying. The elder yeenur was sitting with her back to it, and the younger yeenur was digging a hole in the ground with a long stick, which they use for the purpose of digging up roots. Mrs. W. asked her why she had killed the child. She said, "No good that one, this one very good;" taking the black child, Charlotte, and putting it to her breast. Mrs. W. asked her if she killed the child with the staff. She said, no, with her foot. Mrs. W. took the babe, and wrapped it in a blanket, which she took from one of the girls, and folded it in her cloak, for it was a very severe frosty night. The babe felt the warmth and feebly cried; on which the cruel mother seemed surprised, and looking round, said, "You give it me now; you have it in morning." Having brought it home, Mrs. W. prepared some cordial, and took it to the wretched parent, who is about half a mile from our house. When she had returned, and began to wash the babe, it was found to be literally covered with dirt, and its back much burnt.

20 June 1833.—Geordie, at the suggestion of a stock-keeper, (at a station very near to us) has taken away Murrahmil, one of our girls, that belonged to him. He said she should return the following morning, but she has not; and now she is living in the commission of a vice, of which she was constantly told the evil consequence while here. It is extremely painful, when a girl has been cured of the disease, and rendered in some measure tractable, and has been brought under religious instruction; I say it is extremely painful to see her taken from us, and living in fornication with a professor of religion in our very sight.

30 June 1833.—It is impossible for our friends who are surrounded with all the comforts and polite appendages of civilized society to form anything like an adequate idea of the drudgery attendant on this mission. I often think that to have our residence in a charnel-house would be scarcely more disgusting than our employment here. We have generally some sick, and occasionally from half a dozen to a dozen at the same time apparently destined to an early dissolution, filthy and corrupt in their bodies from the ravages of the venereal, covered with sores, &c., and unwilling to move from their place on any account, or to do anything for themselves. I must wash and dress their wounds, their victuals most be prepared for and taken to them. Under such circumstances, it will be readily conceived that we must be attacked by a host of vermin, as well as be affected with the most unpleasant stench. All this is not more than I anticipated, nor more than God, in mercy, enables me cheerfully to go through for His name and for His people's sake. I always calculated on the labours of this mission being of the roughest and coarsest cast.

14 December 1833.—Female prostitution is practised to an extent that finds no parallel in the history of savage nations. The female infant is given to some adult native to be his future wife; he is then at liberty to take her when he chooses, which is generally at the age of five or six years. She then accompanies him in his wanderings, or becomes the property of a native for a season, or is lent to some white man, who, perhaps, has three or four of these young girls, from eight to twelve years of age, with whom he lives in a state of adultery. If she remains in the possession of her husband, whenever they have a native dance, she is, probably, prostituted to all the youths in the company. No class of human beings on the earth can possibly be in a more wretched and pitiable condition than the aboriginal females of New Holland; compelled to look out for food for themselves, and sometimes for the men, and in their journeyings forced to carry many of his weapons; and, it may be added, sometimes compelled to yield to the brutal desires of white men against their will.

10 March 1834.—King Bobby and three yeenurs came up to our house to-day; Rachel, one of them, and one who was mentioned some time ago as having a child to an European, which the natives said was murdered by its father. She had an infant (half-caste) with her; it was literally covered with that most loathsome of all diseases. We could not prevail on them to stop here.

*D. Coates*, Esq., Rev. *John Beecham*, and Rev. *William Ellis*.

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15 October 1834. Narrang Jackey came up, and voluntarily left Warrahbin with Mrs. Watson; so both his yeenurs are here. He wanted a blanket, and one was given to him. It is a lamentable fact that since she left us she has fallen into those vicious habits which are so universal here. It is beyond dispute that for some time she repelled the solicitations of wicked Europeans. But nothing short of Almighty grace can renovate the heart.

18 October 1834. Two yeenurs, who have each a child, have gone away. One of them said yesterday she should soon lend her little girl (now not more than three years old) to white man. And all we have said, and all we can say, produces no effect. Our hearts sink, our souls are heavily oppressed, and we groan out, "Help, Lord! vain is the help of man."

There is a moral question connected with New Zealand, which I wish to lay before the Committee, if it be considered to fall within the scope of the question proposed to me. It relates to the introduction, at a comparatively recent period, of ardent spirits into New Zealand, which appears to operate most perniciously upon the character and morals of the New Zealanders. Up to a recent period there had been an indisposition on the part of the New Zealanders to use ardent spirits, and it was only by a most cruel effort on the part of persons connected with the sale of ardent spirits that they have been induced to use them. I received last Saturday a letter from one of our missionary catechists in New Zealand containing this statement upon the subject.—Extract of a letter from Mr. Charles Baker, dated Paihia, the 9th of January in this year:

"We have been much distressed lately at the prevalency of ardent spirits which has now found its way amongst the natives: various measures have been suggested to the persons engaged in this traffic, but there has always been some difficulty in the way which has prevented our plans being carried into effect in the removing of an evil so opposed to our proceedings in the land. We have at length however drawn up a petition to the governor of New South Wales, which is signed by a good number of the chiefs, and supported by most of the Europeans residing in the land, requesting the governor to take measures to relieve us out of the difficulty, and to put a stop to the traffic of ardent spirits; a traffic so opposed to our missionary work, and which causes so much disorder and confusion around us."

4289. *Chairman.*] Do those evils which you have enumerated in New Holland all arise from improper intercourse of Europeans with the natives?—I think exclusively.

4290. Are you aware that any encroachments have been made by Europeans, whether governments or individuals, upon the territories or possessions of the natives?—I should consider the progress of colonization in New Holland as the ultimate cause of those evils among the aborigines, which I have attempted very briefly and imperfectly to point out. They certainly result from the colonization of New Holland by this country.

4291. Have you any facts to state upon this subject?—I have no other facts than those which I have already adduced, proving the pernicious consequences of the contact of Europeans with the aborigines; and therefore my evidence on that head would be only an inference from those facts.

4292. Do you infer from the facts which you have now stated, and the facts which have come to your knowledge in your official capacity, that the effect of the seizure of the territory belonging to the natives, by European governments, has a tendency to produce moral evil, and has a tendency to diminish the population?—I have a most fixed conviction that such is the fact.

4293. To Mr. *Beecham.*] Do you concur in that opinion?—I do.

4294. To Mr. *Ellis.*] Do you concur in that opinion?—I should unhesitatingly state that the seizure of the country by European governments could not but be resisted by the people, and such resistance could not but be attended with the most disastrous consequences. I do not conceive that it is a necessary consequence of the contact between Europeans and aborigines, that any destruction of the latter should follow, though I consider that it has been frequently the case, but not necessarily.

4295. Do you consider that the occupation of the territory of the natives by European governments has a tendency to produce moral evil, and has a tendency, in the way of taking away their land and their means of subsistence, to diminish the population?—I have not had many opportunities of ascertaining the effects of the occupancy of the aboriginal countries by European governments, and I am not therefore competent to speak upon that; but as regards European

European residents, I can say most unhesitatingly that the effect has been most demoralizing and disastrous.

Mr. *Beecham.*] I beg leave to say, that I in the first instance understood the question in the limited sense in which it is now explained.

4296. Mr. *Holland* to Mr. *Coates.*] You mention numerous cases of infanticide in cases where an European had connexion with a native, but in cases of illicit intercourse between two natives, and an illegitimate child, are there cases of infanticide there?—I am not aware of any. Polygamy prevails among the natives to a very considerable extent, and I scarcely know what would be esteemed an illegitimate child as between themselves.

4297. A man interfering with another man's wife?—I think that is very common; but there is no intimation, so far as the information I have received goes, that leads me to suppose that infanticide ever takes place from that circumstance.

4298. Mr. *Lushington.*] You are of opinion that as our territories in New South Wales extended, the natives were disturbed in the possession of their lands?—The aborigines of New Holland are so thinly scattered over the country, and so very migratory in their habits, that perhaps it would be difficult to answer the question specifically; but that the extension of colonization has in point of fact dispossessed them of a considerable extent of those parts of the continent which they were previously in the habit of traversing and partially occupying, and that it has tended likewise to the diminution of their numbers, I have not the slightest doubt.

4299. Can you state whether, upon any occasion when it was determined to extend the limits of the colony in any particular direction, the rights of the natives were a subject of consideration?—I am not aware that I am competent to give a distinct answer to the question; but so far as I am informed, the question of the territorial rights of the natives has never been considered at all in the extension of colonization in New South Wales.

4300. It has been stated in substance by a former witness to the Committee, that the rights of the natives on such occasions were grossly and shamefully disregarded, so much so, that their claims were scarcely considered to be of more value than the claims of the kangaroos or the wild dogs of the colony: do you go as far as that in your opinion upon the subject?—The question, I understand, refers exclusively to New South Wales, to which my former answers apply. I think I can only in fairness re-state what I stated before, that so far as my information goes, I am not aware that the territorial rights of the natives have ever entered into the consideration of the government in extending colonization in that quarter.

4301. Then you do not suppose that the individual settlers deemed it at all incumbent upon them to consider the rights of the natives among whom they were intruding?—I have never seen any reason to suppose that the settlers regard at all the rights of the aborigines of the country with regard to the territory.

4302. Can you give the Committee any information as to the treatment which the more remote settlers use towards the aborigines?—Not beyond facts of the same general description as those to which I have already spoken.

4303. *Chairman.*] Do you think when the British Government is so entirely regardless of the rights of the natives, that it is probable that individual settlers, finding it desirable to occupy a portion of native territory, would think they were prevented from doing so by any moral considerations?—The only difficulty I feel in answering that question is from its seeming to call upon me, by its hypothetical character, to express an opinion as to the motives of settlers so circumstanced. I am not aware that I am in possession of any evidence that would enable me to offer an opinion as to their motives in their proceedings; but that there has been no regard paid to the territorial rights of the aborigines, in fact, I have no doubt. I speak of New South Wales.

4304. Sir *Rufane Donkin.*] Are you aware of the gradual but destructive inroads which the white population in North America have from the first been making on the territories and population of the natives?—I know it only from that acquaintance with published works which one naturally acquires in the course of one's reading. That the fact is so, from that kind of testimony, I cannot entertain the slightest doubt.

*D. Coates*, Esq., Rev. *John Beecham*, and Rev. *William Ellis*.

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4305. Have you read Mons. Tocqueville's statement upon that subject?—I have not.

4306. Do not you think that experience and history show us that the extension of white colonization tends to the diminution and gradual extinction of the black aborigines?—Most certainly.

4307. *Chairman* to Mr. *Beecham*.] Have any acts of cruelty and oppression, committed by Europeans on the natives, been reported to you by persons on whom you can place reliance; if so, will you state to the Committee those facts, and the authority upon which they rest; also, any proofs you may possess of any encroachment on their territories, or any diminution of their population?—We have frequently had communications from our missionaries in the South Sea Islands, I mean the Friendly Islands more especially, respecting the ill conduct of the crews of merchant vessels visiting those islands, and the painful consequences resulting from their ill conduct to the natives. In order that I may save the time of the Committee, I will read a letter which contains a fact or two illustrative of the ill conduct complained of. It is from the Rev. John Thomas, our senior missionary in the Friendly Islands, dated Tongataboo, the 20th of December 1832:

"I wish to make a few remarks on a painful subject, viz., the ill conduct of masters of vessels and their crews at these islands. We have long been grieved to hear of the wickedness committed by our own countrymen who visit the Friendly Islands. It has spread its deadly influence far and wide, and presents an obstacle of no trifling importance to the extension of the Gospel at many parts of this island, and is a constant stumbling-block to the infant church of Christ at this place. From what we have lately witnessed, we find that the evil complained of is increasing upon us, and the consequences have been most afflicting. I do not hesitate to say that 18 out of 20 of the accidents which have happened at these islands have taken place through the depraved and wicked conduct of the crews, as they drink to excess, quarrel and fight among themselves, and insult and ill-treat the natives, especially the females, which leads to quarrels with the men, and sometimes with the heads of the people, who are not disposed to put up with such conduct from persons whom they can easily overcome. Designs are then formed to revenge the evils that they suffer; which lead to murder and theft, to the great loss of property to the owners of vessels, the disgrace, of our common Christianity, and the English as a people, and the ruin and disgrace of the perpetrators, as well as the injury of the mission and the natives generally. Another thing we complain of is, that captains of vessels leave their wicked and disorderly men at these islands, to our no small annoyance and the injury of our people. We are aware that it is contrary to the British laws for captains to act so, yet they continue to do it. I here relate a case, which you can do as you please with: Captain Banks, of the Mary Jane, whaler, of Sydney, was in here a few days ago. He said his steward was a scamping fellow, and that he would leave him ashore at this place: we told the captain that he had no right to leave him here; also, that we had too many such men at this island. We furnished him with a copy of the British law on this subject; but notwithstanding that, he has left the man here. His name is Harroway. Two others were discharged also, and four ran away from the same vessel. The captain of the Tonnant Castle, from England, has long been in the habit of frequenting Tonga. He has generally taken up his abode at what is called the Mua, on the eastern part of Tonga. The above captain, though an old South Sea whaler, yet, I am sorry to say, conducts himself very improperly. He and his officers and crew have made that part of Tonga a kind of rendezvous, where all kinds of wickedness have been committed, at which even the poor heathen have been ashamed. A boat's crew were on shore there on Monday last; they continued all night (for what purpose I need not mention). In the course of the night one of the men went to the young chief's house, as it is reported to look for a woman, (it is said the young chief's wife), but the young chief was at home. He rose up and chased the Englishman and caught him, but the Englishman being very strong, held the chief, and while they were struggling together the Englishmen drew out a large knife and stabbed the other in eight or nine places, about his sides and back, and left him near death. He escaped to the bush and hid himself, but he was soon pursued by the people of the young chief, who killed him without any further to do. We have been applied to for medicine for the young chief and have sent him some, but his recovery is very doubtful. The remaining part of the boat's crew were sent on board, for which we feel thankful. It is a great mercy they were not all killed, as the young man who is stabbed is the eldest son of Tatu, and a chief of considerable rank. Should he die I fear they will seek further revenge."

4308. Have you any further facts to state?—I have no more cases to mention relating to the South Seas. I would only add, in reference to the facts stated in the letter of Mr. Thomas, that our other missionaries there make similar complaints. The misconduct of the crews of merchant vessels has been a matter of frequent occurrence.

4309. Is Mr. Thomas and are those gentlemen to whom you have referred persons of unquestionable authority, and upon whom you and others upon such subjects

subjects place implicit reliance?—They are; we can depend upon their testimony in such matters.

4310. Have you any other facts to mention relating to any other British settlements?—I have to state a number of cases of oppression at St. Mary's, on the Gambia, Western Africa. Some 18 months ago, the Rev. Mr. Fox, one of our missionaries there, in writing to the committee mentioned the case of several natives who were members of our society, whom he represented to be in a state of slavery; and he wished to know what steps he should take respecting them, especially as two of the number, named William Juff and Amadi Gum, had made such proficiency in religious knowledge, and were otherwise so well qualified, that he thought they might profitably be employed as agents, under suitable superintendence, in promoting the work of the mission. On receiving this communication, we felt it to be our duty to make inquiry as to what kind of slavery it was which was thus represented as existing in a British colony. We found that the individuals referred to, and several others in similar circumstances, at St. Mary's, were the slaves of merchants at Goree or Senegal, who were sent by their masters to St. Mary's to work, and that their masters, some part of whose families were residing at St. Mary's, received half of their weekly wages. We further inquired respecting the treatment which those individuals received from the persons who called themselves their proprietors, and it appeared, on investigation, that it was not so good as it was at first understood to be. Mr. Fox, in one of his letters, says,

"The owner of Amadi Gum, for instance, had for several years past been in the habit of sending him for four, five or six months to the main land, to superintend the cutting down of mahogany. This is very laborious work, and the best carpenters will not do it, but Amadi being a slave was compelled to attend to it; and for this he received only half of his wages."

In another letter he details at length the treatment which one of these individuals received from his master. The letter is dated St. Mary's on the Gambia, 4th of May 1835.

"I am sorry to inform you, that about six weeks since the wife of John Gum was forced off the island, by the son of the person who claims him, and was driven into the bush, with several others, to beat or pound corn. John and his wife came to me a short time before in great distress, and said they had heard that this was to be the case. I told them that I thought this would not be attempted, as they had been lawfully married, by their master's consent. Such, however, was the event. On Thursday morning, April 2d, while John was at work, some part of the family insisted upon her going. As soon as John knew this he went up to her and wished to bring her back, when the son of his master took hold of his collar, or upper part of his clothes, and thrust him away, and insisted upon her going. I saw this myself, as it took place not many yards from the mission-house. John did not resist this assault, but went immediately to the magistrates: nothing however effectual was done in the case. John afterwards went to his wife, to fetch her home, but the poor woman was afraid to leave until her work was done; so that he had to return without her, and no attempt was made by the authorities to bring her back. Thus a man's wife is taken out of his house, driven 10 or 12 miles into the bush, and worked like a transport, and the husband is insulted and abused for remonstrating against such conduct. The reason assigned why there was no attempt made in the proper quarter to bring the woman back, was that she was then beyond the governor's jurisdiction. Having finished her work she returned, after having been absent upwards of a month, and her mistress insisted upon her staying in the yard, saying, that she should not go near her husband. Through fear, the poor woman stopped there the first day, but the next she stole away and went to her husband. In the evening her mistress sent for her twice, but she refused to go; when about nine or ten o'clock the same evening, the young man who had committed the previous assault upon John entered his house, took hold of his wife, whom he found asleep in bed, and would have dragged her away, had not John and the man of the house prevented it by remonstrating against such conduct."

Shortly after this circumstance took place, Mr. Fox assisted the individuals to whom I am referring in drawing up a memorial, which they addressed to the governor, upon the subject of their grievances. I have a copy of the memorial, which I will deliver in.

[*The same was delivered in, and is as follows:*]

TO His Excellency *George Rendall*, Lieutenant-Governor of the Settlement of St. Mary's and all the British Forts and Territories in the River *Gambia*, Dependencies thereon, Vice-Chancellor and Ordinary of the same, &c. &c. &c.

The Memorial of the undersigned, Inhabitants of St. Mary's, humbly showeth,

THAT your memorialists are, with many other inhabitants of the settlement, kept in a state of slavery, being required to contribute a part of our daily earning to our respective masters, and otherwise attend to all such services as they may require.

*D. Coates*, Esq., Rev. *John Beecham*, and Rev. *William Ellis*.

6 June 1836.

That your memoralists cannot but consider it as a great grievance that the more sober, industrious and reflecting part of the community, who wish to act strictly and conscientiously, should be thus oppressed and tantalized, while the idle and dissolute, who spurn at the requisitions of their masters, are allowed to escape with impunity.

The settlement of Bathurst having been established since the passing of the Abolition Act in 1807, your memorialists were led to believe it was formed with the same philanthropic views as the parent colony of Sierra Leone; and the fact that so many liberated Africans, lately captured by British cruisers, are brought to the Gambia, located on this island, and admitted to all the privileges of British subjects, tends to confirm our opinion in this respect.

In addition to this, your memoralists hailed with satisfaction and delight the passing of "the Emancipation Act," nearly two years ago, which although it may refer to the West Indian islands in particular, the principle of the Bill, as we humbly apprehend, embraces the whole of His Majesty's dominions, and we therefore cannot conceive how slavery can be tolerated here, after so many thousands of British subjects have tasted the blessings of freedom in other colonies, and especially as this oppressive system is not allowed to exist in the neighbouring colony of Sierra Leone.

That your petitioners have frequently had our freedom promised us by our masters, and it has been a lively hope that this would have been realized that has induced us so long patiently to submit to what we considered to be unconstitutional and illegal; and this hope having failed, your memorialists have repeatedly applied for our freedom by purchase, but these applications have only been met by false promises, disappointment and vexation.

Thus circumstanced in reference to our masters, and with the view already set forth, we beg respectfully, but earnestly, to call upon your excellency, as representative of his Britannic Majesty, King William the Fourth, administering the government of the colony, to know if we are still liable to be kept in bondage, to have our wives torn from our bosoms, and our children doomed to perpetual slavery, on an infant British settlement; or if, under the auspices of your excellency's government, we are not, after a residence of five, ten and upwards of fifteen years in the settlement, entitled (in common with eight parts out of ten of the population of the Island) to all the rights and privileges which British subjects enjoy in this and other parts of His Majesty's dominions. The latter appears to us to be our case; and feeling our present situation to be intolerable, we humbly, but most earnestly, claim of your Excellency all that personal protection to which we are legally entitled.

In conclusion, we beg to assure your Excellency that nothing is more distant from our minds than the idea of becoming indolent in our business, immoral in our conduct, or at all troublesome to the local authorities. Most of us being professors of Christianity, we have long been taught to pay all due respect to "the powers that be," to "pray for kings and for all that are in authority, that we may lead a quiet and peaceable life in all godliness and honesty;" and we have also long been taught that the apostle's injunction, "be diligent in business," is equally as binding and imperative as the one in immediate connexion with it, "fervent in spirit," and we are fully convinced that no man can "serve the Lord" who neglects any of these important duties.

Our object in wishing to obtain our freedom is, that we may be raised to that state of civilization and comfort which our present state of bondage actually prohibits; that we may appropriate to ourselves and families the fruit of our daily labour, that they and us may appear respectable, and become useful members of civil and religious society.

That every personal, domestic and spiritual blessing may ever rest upon your excellency, and that this His Majesty's colony and its dependencies, under your auspicious government, may abundantly prosper in a commercial, civil and religious point of view, is the fervent prayer of

*William Juff.*
*Amadi Gum.*
*Sack Macumba*, his × mark.
*John Gum*, his × mark.
*John Gum*, jun., his × mark.
*Lago Yazin*, his × mark.

Bathurst, St Mary's River, Gambia,
4 May 1835.

On this memorial being received by the governor he sent for the persons whose names were subscribed to it, and also for Mr. Fox, our missionary, in order that Mr. Fox might hear his reply to the memorialists. I will read this from Mr. Fox's letter:

"His excellency told them that they were not slaves while they remained in this settlemen, or in any part of its dependencies, forts or territories, in any part of the River Gambia, or in any of the British vessels; nor could the Common Pleas award to their masters any part of their wages; that they were strictly British subjects while they kept within the limits he had mentioned, but if they went to Goree, or Senegal, they were liable to be again taken into slavery; this he could not prevent, and it would therefore be much better if they could obtain their manumission. He was surprised that their masters did not comply with their requests; however, as he had before stated, while in any part of the British settlements or territories, no one could molest them."

After

*D. Coates*, Esq., Rev. *John Beecham*, and Rev. *William Ellis*.

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After this, Mr. Fox was directed by our committee to employ William Juff and Amadi Gum, the two individuals whom I have mentioned, in the capacity of missionary agents or assistant missionaries, whether their owners would or would not give them their manumission. The master of Juff gave him his manumission, but the master of Gum refused to manumit him. We therefore consider that Gum is liable if he goes beyond the boundary of the colony to be seized and carried back into slavery. Although the business is thus partially settled so far as these individuals are concerned, the whole case appears to require investigation; for Mr. Fox observes in another letter, that "he has been informed that by one of the laws enacted some years ago at Sierra Leone, the slaveholders are allowed to have their slaves bound to them as apprentices, so that some people maintain that under that Act they may go from hence to Goree or Senegal and purchase a number of slaves, and bring them here and have them bound to them as apprentices." And it would appear that the view which is thus stated is practically adopted, to a certain extent, for Mr. Fox further observes, "Those who have slaves here, anticipating that the system cannot last much longer, are getting them bound as apprentices, which I consider very unjust."

4311. Can you state any other facts bearing upon this question?—I have no more cases of cruelty or oppression to mention. Upon the second part of the question, relating to encroachments on territory, I have to remark that there is one case of encroachment in which I feel especially interested, affecting as it does certain native tribes among which our society has had successful missions. I refer to the reservations made in the late treaty of peace with the Caffres of portions of the "Neutral Territory," as it had been called, to be appropriated to the use of the colonists. At the close of the Caffre war, in 1819, the year before the formation of the British settlement in the eastern province of the colony of the Cape of Good Hope, a considerable portion of the territory, since known by the name of "Neutral," was taken from the Congo tribe, without their own consent, the Caffre chief Gaika, who relinquished it in his treaty with the governor, having no authority from them thus to dispose of it. I have always understood that the condition on which Gaika ceded this tract of country was that it should remain altogether unoccupied, whether by Caffres or colonists; and it has therefore appeared to me as just, that, when this policy for keeping it unoccupied was exploded, it should be restored to the Caffres; but this has not been done. By the late treaty, the people of Pato, Kama, and Congo, for instance, have only had about half of their original lands secured to them, and considerable portions of the ceded territory have been set apart for the colonists. When I say that I cannot approve of this arrangement, I wish to be understood that the ministers and gentlemen with whom I am associated in the management of the Wesleyan missions participate in my views upon this subject. No sooner were the terms of peace made known in this country, and our committee learned that two of their missionaries were appointed as commissioners for settling some of the tribes on the lands allotted to them within the "Neutral Territory," than they judged that they were called upon so far to depart from their usual plan of avoiding all interference with political questions, as to signify to His Majesty's Government that they could not be consenting parties to any other plan than one which would give back the lands beyond the Great Fish River (the former boundary of the colony) to the Caffre tribes, and those who, like the Fingoes, had become incorporated with them. And I would moreover state, that all our missionaries in Albany and Caffreland have given us reason to believe that on this point they think with ourselves. I advert to this, because I know that our missionaries have been understood to approve of all the governor's plans in the management of the war, even of his proposal to banish the hostile chiefs across the River Kye; and I am aware that this misapprehension of their views might, without explanation, be considerably strengthened by the objectionable letter of a missionary, now in this country, which his excellency has forwarded to His Majesty's Government. Now, the truth is, that there is no considerable difference between ourselves at home and our missionaries in Africa respecting the measures of the governor. I will not trespass further upon your indulgence than to advert to one or two facts. We have evidence that our missionaries did, in the first place, most decidedly object to the proposed banishment of Macomo and Tyalie across the Kye. In a letter, dated Graham's Town, August 1st, 1835, the Reverend William Boyce gives an account of an interview which he had had with the governor a few days previously, in which he freely expressed his

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his opinions on the painful state of things resulting from the continuance of the Caffre war. Mr. Boyce says, he felt it to be his duty to state wherein he thought that his excellency's policy was objectionable, and might be misrepresented: he decidedly objected to the expulsion of the tribes of Macomo and Tyalie beyond the Kye: he argued that the thing was impossible; that Hintza's son would not allow them to pass the Kye; and that should it be attempted to enforce the measure, the result must be the extermination of about 50,000 people, partly by our troops, partly by famine, and partly by Hintza's son: he showed that, as a matter of mere policy, the measure, if it could possibly be carried into effect, was questionable; that so many people, all acquainted with the localities of the colony, and exasperated into enmity and concentrated in all their strength just beyond the Kye River, and close to a weak frontier, without any check from English influence among them, would prove very serious enemies to the colony; whereas, if taken under colonial protection and British law, and checked by British influence, and watched by a judicious resident, they might not only have their active enmity neutralized, but be converted into our good friends: he moreover respectfully submitted that the insisting upon the expulsion of so many people, involving as it did the loss of so many lives, and perhaps the extermination of the major part of them, would tend to injure his excellency's measures in the opinion of the public at home, and would perhaps prevent the confirmation of even the most judicious and beneficial of his plans by His Majesty's Government; he therefore begged his excellency not to insist upon the Caffres going beyond the Kye, especially as the fact that Hintza's son, Rili, would not permit them to cross into his territory, afforded him a favourable opportunity for modifying his conditions to meet the altered circumstances of the case. The result of this conversation was that Mr. Boyce offered his services to undertake a journey into Caffreland, for the purpose of attempting to induce the hostile chiefs to enter into a negotiation for the termination of hostilities. He afterwards consulted with his brethren, the other Wesleyan missionaries then at Graham's Town, as to the best measures for accomplishing their object; and having arranged a plan, it was submitted for the consideration of the governor in a written communication, dated Graham's Town, July 28th, 1835. The plan was as follows:— Mr. Boyce proposed to take Mr. Shepstone along with him, and proceed on the following Monday for Caffre-drift post, for the purpose of visiting Kama and Umkye, in the hope of procuring from them women to carry their message. As Kama's wife and Pato's wife are both sisters of Macomo, they were of opinion that one or both of them would undertake to convey a message to Macomo and Tyalie in the Amatola Mountains. Some of Umkye's women they judged would easily be found to carry a message to Umbala, Zetu, and the other chiefs, who were supposed to be in some part of the country between the Goonoobie and Kye Rivers. The message to be conveyed was to this effect: Mr. Shepstone, it was proposed, should send to Macomo and Tyalie, thanking them for giving orders to the Caffres to spare his life, and advising them as their friend to make offers of submission to his excellency, and stating it as his opinion that should he do this, their expulsion beyond the River Kye might be avoided; and Mr. Boyce was to send a similar message to Umbala and Zetu, the sons of Islambie, backed with the additional authority of his office as missionary to their father's tribe, reminding them of the last advice of Islambie to his sons, namely, that in all cases of difficulty the advice of the missionary was to be followed. This message was to be accompanied with a promise that the missionaries would plead with the governor in their behalf. The plan thus marked out was approved of by his excellency, and the two missionaries immediately commenced their journey, and successfully accomplished the object for which it was undertaken. The hostile chiefs at once made overtures of peace, and shortly after a treaty was concluded, which annulled the sentence of banishment that had been previously pronounced against Macomo and Tyalie. Another fact, which I will only briefly notice, is, that, in whatever other respects our missionaries might approve of this treaty of peace, they did not concur in the arrangements relating to the reservation of lands for the use of the colonists. We have satisfactory evidence that Mr. Boyce, who was employed as one of the commissioners, offered to resign his commission rather than be instrumental in carrying any of those arrangements into effect; and owing to his remonstrances, no reserve of lands was left, as had been intended, between the territory of Pato's people and

and those of Umkye. A reference to these two facts is perhaps sufficient to show that, while our missionaries now in Africa have gratefully expressed themselves respecting the kindness and attention paid to them by the governor at the commencement of the war, and have given him the credit of right intentions in the measures which he pursued, and while they have vindicated the colonists from the indiscriminate charge of acting with cruelty and inhumanity towards the Caffres, on which subject their long acquaintance with the state of things on the frontier entitled them to be heard, more especially as their views were supported by the chiefs, Umkye and Pato, the latter of whom told the messengers of the hostile chiefs that he had not had a commando in his territory for many years past; while our missionaries, I say, have thus far spoken favourably, and I think with justice too, of the governor and the British colonists, they have at the same time agreed with myself and colleagues in objecting to any encroachment being made upon the territory of the Caffres.

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4312. Do you concur in the opinion there expressed by Mr. Boyce, that it would be unadvisable for the British Government to take possession of a portion of the lands of the Caffres?—Yes, I do.

4313. Seeing that you concur in that sentiment, does it express the sentiments of the committee of the Methodist Missionary Society at large?—It does. On this subject I speak the sentiments of the ministers and gentlemen to whom I have referred as being united with myself in the management of our missions.

4314. Do you speak the sentiments of the Wesleyan Missionary body when you disapprove of the occupation of the Neutral Territory by the Europeans?—I have no reason to doubt it: I know of no objection offered by any of our people. I have never had but one opinion upon that subject, which opinion I have ever steadily maintained, and still hold; and I know it is the opinion of those with whom I am associated in the management of the missions.

4315. Does you society approve or disapprove the letter sent by Mr. Shrewsbury to the governor, approving of his proceeding with reference to the Caffre war?—I understand you as referring to the letter to the governor, signed by Mr. Shrewsbury in behalf of the missionaries generally, and published at the time in the colony. In reference to that address I would say, that we have regretted that the missionaries should have used language so ambiguous; because we are fully persuaded that they did not by any means intend to convey that strong meaning which some have attached to it. It is not possible that I can believe it to have been their intention to express an unqualified approbation of all the governor's plans, when I possess such conclusive evidence that they were at the same time entertaining a decided objection to that most important measure which related to the expulsion of Macomo and Tyalie beyond the Kye.

4316. Then if the letter was interpreted as an expression of the approbation of the missionary body of the measures taken for dispossessing the natives of their land, you think that letter would not have been fairly interpreted?—Certainly not.

4317. And you would not have concurred in that interpretation?—No. If that letter had really been intended to convey an unqualified approbation of all the governor's plans, I should not have approved of its sentiments. At the same time, I would say, that while I regret that our missionaries, in penning that address, used language liable to be misunderstood by persons at a distance, I equally regret the high state of party feeling and excitement that had been produced in the colony, and which made it proper, as they thought, to take such steps as they did in reference to questions growing out of the war. And I would further observe, that they were not alone in the expression of those views. The Rev. Mr. Chalmers, for instance, the leading missionary of the Glasgow Society, publicly expressed himself far more strongly in approbation of the governor's proceedings than our missionaries have done.

4318. But you, as representing the missionary body, do object to this strong interpretation given to the letter of your missionary; and you, *à fortiori*, would object to still stronger statements made by Mr. Chalmers?—Most certainly: at the same time, I wish it to be distinctly understood that I am perfectly satisfied that the sweeping interpretation which some have adopted in reference to the letter is not the meaning which our missionaries, as a body, at all intended to convey. I cannot believe that, when I have such abundant evidence to the contrary.

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4319. You cannot believe that your missionaries intended to convey a sweeping declaration of their approval of the proceedings of the governor with regard to the territories of the natives?—No, I cannot.

4320. Will you proceed to state any other facts bearing upon the subject?—The next topic to which I would refer would more particularly come under the head of diminution of numbers. We are carrying on extensive missionary operations in British America, and I have had an opportunity of directing my attention to the condition of the Indians on the boundary of Upper Canada. I am personally acquainted with a chief of the Mississaugah, or Chippeway nation of Indians; and I have conversed with him frequently, and at length, on the condition of the Indians of that province. He has stated to me most unequivocally, that previous to the introduction of Christianity among the native tribes they were rapidly wasting away; and he believed that if it had not been for the introduction of Christianity they would have speedily become extinct. I asked him what he considered to be the causes, and he informed me that the destruction of their game was one reason why their numbers were diminished. They live by the chace; and in consequence of the advance of the white population, their game decreased, as the settlers on the extreme border of the colony, in the first instance, subsisted almost entirely on game; and this was not all: the game retired from the neighbourhood of an increasing population. The more valuable game, such as beavers and otters, are remarkably shy; and as the white population kept advancing, those animals retired. From these causes, he remarked, his own people were reduced frequently to the greatest extremity: he said, there were several instances came under his notice of families that literally perished of hunger on account of the decrease of their game. Another cause of the diminution of their numbers he considered to be the introduction of the vices of the Europeans, especially the vice of drunkenness. It is a fact, I suppose generally known, that the Indians of Upper Canada are passionately fond of intoxicating liquors, which they call "fire waters;" and that having once tasted them, they would sacrifice anything in order to obtain that gratification. He also mentioned the diseases of the Europeans as another cause of the diminution of their numbers; for instance, the small-pox, which had sometimes broken in among them, and committed great ravages. The information which I have derived from this chief has been confirmed by our missionaries stationed in Upper Canada, and who are now employed among the Indian tribes on the borders of that province. Without enlarging further, I may say that my inquiries have led me to believe that where Christianity has not been introduced among the aboriginal inhabitants of Upper Canada, they are melting away before the advance of the white population. This remark applies to the Six Nations, as they are called, on the Great River, the Mohawks, Oneidas, Onondagas, Senecas, Cayugas, and Tuscaroras, as well as to all the other tribes on the borders of the province. I would also make a reference to the aborigines of New South Wales, although I have not much information to communicate respecting them. I have made inquiry as to their condition, and have obtained the opinion of our missionaries upon the subject. The Rev. Walter Lawry, who was seven years in New South Wales, says, "The natives certainly suffer from the colonists; the male convicts and others steal, buy, and seduce their women; many of the children born are by white men. They also learn English vices, especially drunkenness; and their game, with other means of subsistence, is greatly diminished. White men, on the spot, generally think that the black will become extinct within the colony. I think so too, and this will be very much through the vices of the Europeans."

4321. Mr. *Lushington*] Have you any information regarding Van Diemen's Land?—Nothing particular. The same missionary to whom I am now adverting, says in this letter, "I understand that the natives of Van Diemen's Land have all been shipped off, but I am not quite certain."

4322. The Committee have had information as to the fact that they have been all removed to what they call Flinders's Island; can you give any information as to their actual position?—No. Some two years ago I wrote to our missionaries in order to obtain more particular information respecting the aboriginal population, but, partly in consequence of the loss of letters by shipwreck, I have not obtained that information which would enable me to answer the question.

4323. Is

4323. Is Mr. Kaye a member of the Wesleyan Society, who wrote a book on Caffraria?—Yes.

4324. What is the opinion of the Wesleyan Society of that book?—I do not now frequently hear it referred to. It has been published some time.

4325. Do they consider its statements to be authentic?—It has been very well received generally by our society.

4326. They consider its statements to be well founded?—I speak of the book generally.

4327. *Chairman.*] You do not mean to say that you, as secretary of that body, either dispute or sanction the statements in that book?—I mean to say that that book does not possess the authority of an official publication of the society. I think it is generally well received; at the same time, I am not prepared to pledge myself for the accuracy of all its statements.

4328. To Mr. *Ellis.*] Have any acts of cruelty and oppression committed by Europeans on the native inhabitants been reported to you by persons on whom you can place reliance; if so, will you mention those cases to the Committee upon the authority which they rest, and also state whether you possess any proofs of any encroachments on their territories, or any diminution of their population?—There have been reported, on authorities on which I can place implicit reliance, a number of instances of violence and oppression committed by Europeans on the aborigines in different countries in which the missionaries of the London Missionary Society have been employed; but on the present occasion I shall confine myself to bringing one or two cases, in connexion with the South Sea Islands, under the notice of the Committee. I would beg leave at present to defer any evidence on cases of the kind that may have been reported to the society from South Africa, as the Committee will have an opportunity of receiving evidence referring to that quarter from individuals able to give more explicit statements. There have been, from the period of the establishment of the South Sea missions to the present time, a series of acts of aggression on the natives, committed by persons resorting to those islands. In many instances they have occasioned very serious loss of life to both parties; and the quarrels which have been thus destructive have generally arisen from acts of outrage or plunder on the part of the Europeans, partly connected with their violent seizure of the daughters or the wives of the native chiefs or others, partly occasioned by their forcibly seizing any article, the produce of the country, which they might want, and also from a disregard to the superstitions of the country, while those superstitions were in existence and operation. Of the former kind, I would bring before the Committee one that occurred in the Sandwich Islands. I had departed from those islands a short time before it occurred; but it was reported to me by missionaries that I left there; they are American missionaries. The outrage was by the captain of a British vessel, and it was such as to jeopardize the lives of the missionaries and of a number of the natives. The facts of the case were these: the captain of the Daniel, a ship from London, in the early part of the year 1825, visited the Sandwich Islands; and before the captain left he purchased a slave of one of the Sandwich Island chiefs, and took her on board his ship, as inmate of his cabin during the cruise, which lasted from the spring of the year till about the month of October. In the month of October the vessel returned to the port of Lahaina, in the island of Maui, and during the interval, such had been the progress of Christianity among the people, and of a regard to the justice and propriety of guarding the conjugal relation, that they had enacted a law prohibiting adultery, and other crimes which are a breach of it. This law they extended not only to the natives of the island, but to foreign visitors; and the rage of the latter, who came in the ships in the autumn of the year, was such that they could scarcely be restrained from acts of the most violent outrage. On this occasion the crew of the Daniel, in three boats, went on shore, armed, having the black flag flying. They proceeded to the house of the missionary, supposing that he had prevented the people from allowing the females to go on board the ships for the purposes of prostitution, declaring that they would have his life, or they would have females on board. The missionary had a few natives round the house, who endeavoured to protect him. A sort of skirmish ensued between the sailors on the outside of the gate and the natives on the inside, the natives defending the missionary and his wife from the crew of the British ship. They succeeded in keeping them off the premises till a report

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could get to the chiefs, when the latter immediately called out a number of armed men to preserve the settlement, of whom some were stationed to act as sentinels round the house. Thus they defended the missionaries' houses for three successive days, when the captain and the seamen, unable to accomplish their object, left that island, the island of Maui, and went to another. They did not succeed, I believe, to a great extent at that island, and ultimately left. The facts were inquired into by the chief; but the captain refused to give any satisfaction whatever for the outrage he had committed upon the people and upon the missionary, whom the chief said he considered under his protection. The documents in connexion with the case I have before me, and I will lay them before the Committee.

[*The same were delivered in and read, as follows:*]

— No. 1. —

EXTRACTS of a Letter, published in the American Missionary Herald for July 1826, from the Missionaries in the Sandwich Islands, dated Oahu, October 15th, 1825, addressed to the American Board of Commissioners for Foreign Missions.

"It is now perhaps too late to attempt to conceal the enormities among those who traverse the Pacific, which have filled us with disgust and indignation from the period of our arrival at the islands. The riotous crew of the whale-ship, Daniel, Captain Buckle, having the countenance and example of their master, purchasing for a stipulated sum of money, 160 dollars, a female slave, and carrying her as the inmate of his cabin during his late cruise, were on their recent return to Lahaina enraged at the tabu prohibiting females from visiting the ships, and after repeated insults and threats to Mr. Richards, left the ship in a body and landed in three boats, under a black flag, and, armed with knives, surrounded the house of Mr. Richards with the most abusive threats, and seemed determined, as Mr. Richard writes, to have his life or his consent for females to go on board, the former of which he would have surrendered first. When one of the crew stabbed twice at a native, who kept the gate, the chiefs immediately called out an armed force to resist them; and they are obliged to keep a strong guard of armed natives around the house, by day and by night, to protect their missionary from the murderous assaults of Christian seamen. That the master of the ship allowed this outrage is to us evident from his note to Mr. Richards the evening before, when Mr. Richards requested him to come on shore on account of his apprehensions from the crew. He replied, 'that he could not control them on shore; that they had left the ship with a determination not to return to it without bringing women on board, and that Mr. Richards had better let them come off, and then all would be quietness.' About 20 seamen recently came to our doors to demand the reason why they could not have women, as formerly. We could only say, 'it is forbidden by the word of God, and prohibited by the tabu of the chiefs.' Once we thought a single couple would be exposed to insult from the natives; now the natives are a defence against lawless foreigners, to whose violence we are all exposed. These are among our trials of the present day. Mr. Richards says, in a hasty line, about the time his house was attacked, 'we are alive, though an hour ago we expected nothing but immediate death.'"

— No. 2. —

EXTRACT from "*Stewart*'s Journal of a Residence in the *Sandwich Islands*, during the Years 1823, 1824 and 1825," page 397.

After stating that on approaching the mission premises he was challenged by a native sentinel, and on entering the house found the wife of the missionary surrounded by natives armed with spears and muskets, he continues, "But as soon as an explanation could be given, I learned that their peril was not from the heathen, but from the degenerate sons of a civilised and Christian country! The seamen of a large British ship, at anchor at Lahaina, exasperated at the restraints laid on their licentiousness through the influence of the mission, had carried their menaces and open acts of violence against Mr. and Mrs. Richards to such an extent, as to cause the chiefs to arm a body of men and defend them at the hazard of life; and at that very hour, three armed boats' crews, amounting to near 40 men, were on shore with the sworn purpose of firing their houses and taking their lives before morning. Only two days before, after a succession of fearful threats and gross insults, the same party, countenanced and upheld by their captain and officers, and armed with knives and pistols, had landed under the black flag of death, and surrounding the missionary enclosure, then unprotected, offered life to our friends only on condition of their retracting their instructions to the people, founded on the seventh commandment. The firmness with which they were met by Mr. Richards only made them doubly infuriate, and as they seemed ready to fall upon him to execute their horrid threats, Mrs. Richards, with the spirit of a martyr, rushed between them and her husband, exclaiming, 'My only protection is in my husband and my God; I had hoped that the helplessness of a female, surrounded only by heathen, would have touched the compassion of men from a Christian land; but if such cannot be the case, know that I stand

I stand prepared to share the fate of my husband. When I left my country I took my life in my hand, not knowing when I might be called to lay it down; if this is the time, know that I am prepared, sooner than disgrace the character I sustain, or dishonour the religion of my master, by countenancing in the people we have come to enlighten a course of conduct at variance with the word of God.' For a moment the heroism of a refined and lovely woman appeared to shake the firmness of their purpose, and they retired from the ground, but it was only to return with a more relentless determination; and the interference of the natives took place in time barely to rescue the lives of their teachers, at the hazard of their own. So resolute were they, however, in the defence when once commenced, that 3,000 men were armed and in readiness to seize the ship and to make prisoners of her crew, should another outrage of the kind be attempted."

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— No 3. —

EXTRACT of a Letter from the Rev. *H. Bingham*, dated Oahu, one of the Sandwich Islands, November 5th, 1835, to the Rev. *W. Ellis*.

"Karaimoku, our friend and patron, called in to see us this afternoon. He said he had sent for Captain Buckle on account of the outrage committed by his crew at Lahaina, but he had given him no satisfaction. The 'Daniel,' after the most unwarrantable and unpardonable outrages on a defenceless missionary at Lahaina, which required the whole village to assume the posture of warlike defence, came to this port about a week since and still lies at the bar. Since this arrival our houses and the king's have been under a strong guard by night, and the whole village in the posture of defence as if a pirate were lying in the roads. I am sorry to say, however, that notwithstanding the tabu of the chiefs, and the vigilance to prevent women from visiting the ships, the 'Daniel' has succeeded in getting them here, though they were prohibited, I believe, entirely at Lahaina, except the woman previously purchased by Captain Buckle for 10 double joes or 160 dollars. Will not the British Government take notice of such flagrant abuse as is chargeable on Captain Buckle?"

Mr. *Ellis*.] There are other circumstances of a similar kind, but I am not in possession of such distinct and circumstantial evidence as could be furnished by a gentleman who is at present in England, and whom I think the Committee might examine, if they are desirous of receiving information upon the subject. I refer to Mr. Williams, who has been many years a missionary in the South Sea Islands, and would be able to give the Committee most valuable information, showing the necessity of more efficient measures being adopted for preserving not only the natives, but the Europeans, from the outrages of sailors and of convicts who abscond from New South Wales. Acts of oppression and injustice in matters of dealing or barter have been a frequent source of mischief. We have scarcely ever inquired into a quarrel between the natives and the Europeans in which it has not been found to have originated either in violence towards the females or in injustice in traffic or barter on the part of the Europeans. There was one instance occurred at the Island of Rurutu, about 300 miles from Taheite. A captain of a whaling vessel, from London, went there, and went on shore, engaging with the natives for a certain number of hogs and yams as provision for his crew, promising to give the natives axes and other useful articles in return. The natives, as he requested, took all the property he had purchased from them to the ship, which was lying two or three miles from the shore. As soon as the natives had reached the ship and the captain had hoisted in the pigs, as the stock for the voyage to England, instead of paying them the axes and other articles which he had promised he threw over to them a small bundle of pieces of iron hoop, then cut the rope by which their canoes were hanging on to the ship, and sailed away from the island. They of course could not overtake him, and did not try to do so, but returned and held a consultation as to the course they should pursue; and the decision at which they arrived—for they had not been visited by missionaries at that time—was, that the next vessel that came, they should invite the captain, the officers and the seamen on shore, decoy them up into the woods, and there destroy them, then seize their boats and other property, and also get the ship if possible. A missionary from Raiatea visited the island shortly after that time; they informed him of what had occurred, and of the purpose they had formed. He of course said that it was very wrong of his countryman to have acted towards them as he had done, but dissuaded them from retaliating in the manner they intended. He made some compensation for their losses, promised to represent their case to benevolent individuals in England, and thus succeeded in dissuading them from executing their purpose of seizing the next ship that might visit the island. A

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number of facts of this kind have occurred in the islands, but I mention this because it occurred while I was there, and because the information of it I received from the missionary with whom I was associated, and in whose testimony I place the most entire confidence. With regard to alienation of territory, which is the third branch of the question, I have not any information to offer upon that subject, as the natives of the South Sea Islands where the London Society have had missions are extremely jealous of the possession of a single inch of ground by any white person; they will not allow, by purchase or any other means, the obtaining of an inch of land by any European; and although the missionaries have been there now nearly 40 years, there is not a missionary that has a single inch of ground as his own; any ground he may cultivate he holds only during the pleasure of the chiefs or native proprietors. I have, therefore, no information to furnish to the Committee upon the alienation of territory. In reference to depopulation, it has been most fearful in the islands of the South Seas, but I am not aware that it is traceable to the operation of the cruelty of Europeans. It is traceable, in a great measure, to the demoralizing effects of intercourse with Europeans; the introduction of diseases, of ardent spirits, and of fire-arms. These results of intercourse with Europeans have produced a destruction of human life that is truly awful. When Captain Cook was at the Sandwich Islands he estimated the population at 400,000. In 1823, when, with other missionaries, I made a tour of some of the islands, we counted every house in one of the largest islands, which is 300 miles in circumference, and endeavoured to obtain as accurate a census as several months' labour would afford, and there was not in the entire group of islands at that time above 150,000 people. That diminution is be ascribed to the above causes—wars promoted by fire-arms, ardent spirits, and foreign diseases, and also to the superstitions of the people, the offering of human sacrifices. The practice of infanticide, which destroyed so many in the southern islands, did not prevail to any extent in the Sandwich Islands. Their wars were rendered far more destructive than heretofore by their being possessed of fire-arms. Where both parties are possessed of fire-arms the destruction is not so serious, but when one party only is possessed of fire-arms and the other party not, it is almost murder. With reference to the South Sea Islands, the depopulation has been as serious. Captain Cook estimated the population of the Island of Tahiti at 200,000. I have reason to believe, from actual observation, that his estimate was much too high; but the ruins of former dwellings, which still spread over every part of the island, show that it must have been much more densely peopled formerly than it is now. When the missionaries first arrived there were not more than 16,000, and after they had been there 10 years or 14 years, such had been the extent of depopulation, from the introduction of European diseases, ardent spirits and of fire-arms, that the entire population was not above 8,000, some supposed not even 6,000. Since Christianity has prevailed among the people there has been a reaction; the population is increasing, and perhaps it has increased one-fourth since Christianity has been introduced. I do not ascribe the depopulation which had taken place in the South Sea Islands to overt acts of cruelty, but chiefly to the indirect operation of intercourse with Europeans.

4328*. Mr. *Lushington*.] Do you ascribe the augmentation of number since the arrival of the missionaries to the improvement in the morality of the natives, occasioned by the missionaries?—It is to be ascribed entirely to the influence and labours of the missionaries, but not exclusively to their improved morals. Infanticide prevailed to a great extent, and tended undoubtedly to that depopulation: their wars were also very frequent. During the first 15 years that the missionaries were there, before the natives embraced Christianity, the inhabitants of Tahiti were 10 successive times engaged in war; and their wars were wars of extermination. But war ceased, and infanticide ceased, and human sacrifices ceased, on the introduction of Christianity; and an improved state of morals has been introduced. Industry, and sobriety, and order have followed, and all have favoured the increase of population; so that I presume it has increased about one-fourth since the introduction of Christianity.

4329. To Mr. *Coates*.] Is it your opinion that Europeans coming into contact with native inhabitants of our settlements tends (with the exception of cases in which missions are established) to deteriorate the morals of the natives;

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to introduce European vices; to spread among them new and dangerous diseases; to accustom them to the use of ardent spirits; to the use of European arms and instruments of destruction; to the seduction of native females; to the decrease of the native population; and to prevent the spread of civilization, education, commerce and Christianity; and that the effect of European intercourse has been, upon the whole, a calamity on the heathen and savage nations. In the first place, is it your opinion that European contact with native inhabitants, always excepting the cases in which missions have been established, tends to deteriorate the morals of the natives?—Yes.

4330. To Mr. *Beecham*.] Do you concur in that opinion?—Yes.

4331. To Mr. *Ellis*.] Do you concur in that opinion?—Certainly.

4332. Does it tend to introduce European vices?—Mr. *Coates*.] Yes.—Mr. *Beecham*.] Yes.—Mr. *Ellis*.] Yes.

4333. Does it tend to spread among them new and dangerous diseases?—Mr. *Coates*.] Yes.—Mr. *Beecham*.] Yes.—Mr. *Ellis*.] Yes.

4334. Does it tend to accustom them to the use of ardent spirits?—Mr. *Coates*.] Yes.—Mr. *Beecham*.] Yes.—Mr. *Ellis*.] Yes.

4335. And to the use of European arms and instruments of destruction?—Mr. *Coates*.] Yes; but might I add a word which would go rather to express a doubt whether the ultimate result of that be injurious to the savage nations? but that it has the tendency suggested in the question, I have no doubt.—Mr. *Beecham*.] Yes.—Mr. *Ellis*.] Yes.

4336. To the seduction of native females?—Mr. *Coates*.] Yes.—Mr. *Beecham*.] Yes.—Mr. *Ellis*.] Yes.

4337. To the decrease of population?—Mr. *Coates*.] Yes.—Mr. *Beecham*.] Yes.—Mr. *Ellis*.] Yes.

4338. Does it tend to impede that civilization which, if Europeans properly conducted themselves, might be introduced?—Mr. *Coates*.] Certainly.—Mr. *Beecham*.] Yes.—Mr. *Ellis*.] I have no doubt that it does.

4339. The same as to education?—Mr. *Coates*.] Certainly.—Mr. *Beecham*.] Yes.—Mr. *Ellis*.] Certainly.

4340. The same as to commerce?—Mr. *Coates*.] Certainly.—Mr. *Beecham*.] Yes.—Mr. *Ellis*.] Yes.

4341. Is it your opinion that it tends to prevent the spread of the Christian Gospel?—Mr. *Coates*.] Most assuredly—Mr. *Beecham*.] Yes.—Mr. *Ellis*.] Yes.

4342. Is it generally your opinion that the effect of European intercourse, saving where missions have been established, has been, upon the whole, hitherto a calamity upon the native and savage nations whom we have visited?—Mr. *Coates*.] That I have no doubt about.—Mr. *Beecham*.] Yes, generally.—Mr. *Ellis*.] Generally, I should think it has.

4343. As far as you know, in instances of contention between Europeans and natives, has it generally happened that the Europeans were in fault?—Mr. *Coates*.] Universally, so far as I have information upon the subject.—Mr. *Beecham*.] Yes.—Mr. *Ellis*.] I have not met with an instance in which, when investigated, it has not been found that the aggression was upon the part of the Europeans.

*Mercurii*, 8° *die Junii*, 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Holland. |
| Mr. Charles Lushington. | Sir Rufane Donkin. |
| Mr. Wilson. | Mr. Andrew Johnston. |
| Mr. William Gladstone. | |

MR. FOWELL BUXTON, IN THE CHAIR.

*Dandison Coates*, Esq., the Rev. *John Beecham*, and the Rev. *William Ellis*, called in; and further Examined.

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4344. *Chairman* to Mr. *Coates*.] YOU have stated that where Christian missions are not established, various ill consequences have resulted from the intercourse between Europeans and natives. In cases in which missions have been established, and have got into successful operation, do you think that the same evils result to the native population as have already been stated?—If the European residents in any given country are wholly missionary, the results of their intercourse with the natives are purely beneficial, in my opinion.

4345. Do you think they tend to the spread of civilization, education and commerce?—With regard to civilization and education, I have no doubt; with regard to commerce, I am not quite sure, so far as the missions of the Church Missionary Society are concerned, whether they are in a sufficiently advanced state to admit of a distinct opinion as to their bearing upon commerce; but as a matter of presumption, I should infer the same beneficial consequences with respect to commerce, which I know to result with regard to civilization and education.

4346. To Mr. *Beecham*.] Do you concur in that answer?—I do.

4347. To Mr. *Ellis*.] Do you concur also?—Decidedly so: the missions will not only not prevent but they will promote commerce; they will improve the habits of the people; they will increase their industry; will give security also to the traders, and enable them to prosecute their commercial enterprises with advantages which they never could have in the absence of missions.

4348. To Mr. *Coates*.] Have you considered what measures would be likely to promote the security and the protection of the natives, and their advancement in social and moral improvement?—I have been led to consider that point in consequence of the questions addressed to me by the Committee. The present question appears to divide itself into two heads: that of protection, and that of promoting the moral and social improvement of the people. I propose, therefore, to divide my evidence under those two heads, giving evidence first as to protection, and secondly as to the means of promoting the moral and social improvement. I think that in dealing with the question of protection, I should find it necessary to consider it separately with regard to the several countries where the missions of the Church Missionary Society are situated. I begin with New Zealand: A British resident is already stationed in New Zealand by the Government, with a view to protect British commercial transactions in New Zealand, and likewise to protect the natives from oppression, risk and injury. I believe Mr. Busby's residence in New Zealand has been very advantageous to the natives; but I apprehend that he needs additional support, if it could be afforded to him, in the discharge of his duties. He stands in New Zealand as a British functionary; but from the state of barbarism of the New Zealand tribes, they are incapable of appreciating those principles by which international communication is governed in European countries. He therefore, in point of fact, does not obtain that protection and support in the discharge of his public duties which is requisite, as well for the protection of British commerce as for the protection of the natives themselves. If, therefore, some method could be devised by which that support could be given to Mr. Busby, the end of his appointment would be more completely obtained than it hitherto has been. It is a matter of difficulty, to my mind at least, to suggest the means of affording that support under the peculiar circumstances in which he is placed. It has occurred to me, however, that possibly something in the nature of a police at his disposal, either of

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Europeans selected by himself, or of natives approved by him, might give a degree of support to him in the discharge of his duties which he does not at present possess. It has likewise been suggested, and suggested I believe by the present governor of New South Wales to His Majesty's Government, that the occasional visits of a ship of war to the coast of New Zealand, would tend materially to support Mr. Busby, and to forward the object for which he was stationed in the island. I apprehend, too, that representations made strongly to the chiefs in the vicinity in which Mr. Busby resides, from the governor of New South Wales, would tend to strengthen his position; for the chiefs are extremely friendly to this country, and therefore well prepared to receive influence from any representations so addressed to them. Those representations might go to show them that they would promote their own interest by supporting Mr. Busby, and that their doing so would tend to promote peace and tranquillity among themselves, and consequently their own social advantage. I doubt, however, whether some steps be not necessary in addition to those which I have suggested, or any of a like kind, in order effectually to protect the inhabitants of New Zealand from wrong and oppression by British subjects. In support of that opinion, I would read to the Committee an extract of a letter from Mr. Marsden to the Rev. Edward Bickersteth, late secretary of the Church Missionary Society, dated the 25th April 1831:

"What the New Zealanders are indignant against the Europeans for is, their joining either party in their wars. This conduct they will resent, unless those in authority in New South Wales, or in England, take measures to prevent it. It appears, nothing could be more horrid than the conduct of the Europeans in those transactions. The British Government must take notice of them, or expose their own subjects who visit that island to the constant danger of murder. I am fully aware that there may be great difficulty in obtaining legal evidence against the Europeans concerned in this business, as the evidence of the natives may not be admitted; and it seems to be the prevailing opinion, that the law as it now stands will not extend to crimes of the above nature committed in New Zealand. Should this be the case, some Act should be passed by the British Parliament to redress the wrongs of the natives. Many desperate characters, who either are or have been convicts, escape to New Zealand, and mix up with the natives, and are capable of committing any crime."

I believe the Home Government was so strongly impressed with the necessity of some such procedure as that suggested by Mr. Marsden, that in the session of 1832, a Bill, a copy of which I hold in my hand, was introduced into the House of Commons, I believe by Lord Howick, then Under-Secretary, to authorize the governor of New South Wales, with the advice and consent of the legislative council of that colony, to make provision for the prevention and punishment of crimes committed by His Majesty's subjects in islands situated in the Southern Pacific Ocean, and not being within His Majesty's dominions. My own impression is, if I might venture to submit an opinion on what I am aware is a very difficult as well as a very grave question, that without some further legislative authority given to the governor of New South Wales to deal with parties committing crimes in New Zealand and elsewhere in the islands of the Southern Sea, crimes by British subjects will not be effectually prevented. I will pass on to the case of New Holland. That continent is circumstanced materially different from New Zealand, because it is a British colony, and therefore completely subject to the British authorities. The evils which I detailed in part to the Committee on Monday, as to the contact of Europeans on the outskirts of the colony, with the aborigines, I apprehend would be found difficult to remedy, from the fact that they result from comparatively a few individuals, thinly scattered over a wide expanse of country, and therefore difficult to be kept under strict superintendence and control by the magistracy or the police. But the evils resulting from immoral intercourse between the Europeans and the aborigines is so enormous, that it appears to my mind a moral obligation on the local government to take any practicable measures in order to put an end to it. I should conceive, therefore, that the extension of a vigilant and active police throughout those parts of the country where the stockmen, the parties to whom I more particularly allude, are most generally found, would be essential, in order to the prevention of the crimes to which I have referred; and in one respect I apprehend the local government holds a considerable check over these individuals; for if my information be correct, they are in general ticket-of-leave men, that is, convicts holding a ticket of leave from the government, and therefore more strictly under their cognizance than the other colonists are. I should not be disposed to rely wholly upon police for a radical cure of the evil to which I have referred. I think

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think that can only be effected, so far as human arrangements go, by bringing those Europeans under the religious instruction of which they are now, from their peculiar circumstances, almost wholly destitute. They are so distant from what may be called the colonization points of the colony, that the opportunities of their receiving any religious instruction at all are extremely rare indeed; and I believe that the means at present at the disposal of the government for administering religious instruction to those parties, are very inconsiderable. I do not know how far I should meet the views of the Committee, by offering a suggestion as to the mode of applying religious instruction to parties situated as those stockmen are; but if it were within my province in offering evidence on this point to do so, I should suggest that nothing short of an itinerating ministry could reach the case. I apprehend that the condition of the convicts in those parts of the colony can only be met, as to the means of religious instruction, by an itinerating ministry among them; and not merely an itinerating ministry, that is, an itineration of ordained clergymen, but by itinerating catechists; that is, lay teachers acting under the direction and control of clergymen assigned to this peculiar duty. In this way the case of those individuals might be met to a very considerable extent, and it does not occur to me that it could be met in any other way. I am equally at a loss to conceive how the evils to the aborigines can be prevented, but by bringing those Europeans both under religious instruction, and under the supervision of an efficient police. The other district to which I have to refer, and that very briefly indeed, is the Zoolu country in South Africa, to which the attention of the committee of the Church Missionary Society has recently been called, and a mission to which they have, in consequence, been led to contemplate. Our measures are in too incipient a state at present to admit of my saying that such a mission will be formed, though I think the probability is that it will. But in that event, the mission will be formed in a district beyond the boundaries of the colony, in the vicinity of Port Natal. There are already a certain number, though not a very considerable one, of Europeans located at Port Natal, for the purpose of carrying on commercial transactions with the tribes in the interior, I believe more particularly with the Zoolus; I should conceive that some effectual control over those Europeans would be an almost essential preliminary step, in order to advantageously commencing a mission in the Zoolu country. The only two suggestions that I have to offer in furtherance of that object, would be very analogous to those that I have already made with reference to New Zealand. The first is the stationing a British officer at Port Natal, with authority from the Cape of Good Hope to exercise such a sort of jurisdiction or authority as the Government at home and the local government might think fit to entrust him with; and more especially, an enactment of the British Parliament that should bring British subjects residing in that part of Africa under the cognizance and jurisdiction of the governor of the Cape of Good Hope, with regard to the criminal acts committed by them, in the same way as proposed in the Bill of 1832, with regard to the government of New South Wales, relative to Europeans in New Zealand and elsewhere in the South Seas. I believe that is the whole of what I have to submit to the Committee on the first head of the inquiry: the next is a distinct question relating to the moral and social improvement.

4349. To Mr. *Beecham*.] Have you turned your attention to the consideration of what measures would be calculated to promote the protection of the native inhabitants?—I have paid some attention to the subject, but I have not many suggestions to offer.

4350. Do you concur in the suggestions which have been made by Mr. Coates?—With regard to multiplying residents in the islands of the South Sea, I have had some hesitation, I confess, as to the propriety of the measure. I am quite satisfied that if such residents as Mr. Busby, to whom reference has been made, were placed at the various groupes of islands, very great benefit might accrue from the arrangement; but at the same time, I should expect that much mischief would result from the appointment of persons of an opposite character. If a resident should adopt any such erroneous views of the character and wants of the natives as a European consul in a foreign country, who judged that if the native mind was subdued and softened by music, it might then be thrown into a new mould of character, and the condition of the people might consequently be improved; and if at the same time he should steadily oppose and thwart those plans and measures which experience has now demonstrated can alone elevate and improve a barbarous people; I do fear, that however

useful

useful he might be in affording protection to the natives against the aggressions of British subjects, this would be more than counterbalanced by the evil that he would occasion. In making these remarks, however, I would be understood as expressing nothing more than the strong opinion I entertain as to the care that must be used in selecting proper persons to fill so important an office. Considering the evils which the inhabitants of those remote islands are suffering from many of our seamen, and not being able to mark out any better plan for meeting the urgent necessity that exists, I do concur in the recommendation that a sufficient number of suitable persons be appointed to the principal islands of the South Sea, who shall be invested with sufficient powers to bring to justice all British subjects who may commit aggressions against the natives. I have thought that another important measure for affording protection to the natives of those countries where we have our colonies, would be to extend the jurisdiction of the colonial courts of justice, and empower them to try British subjects who have committed offences against the natives beyond the boundary of the colony. If such an extension of the jurisdiction of the colonial courts of justice could take place, I think considerable benefit would result from the arrangement. It has also appeared to me that the appointment of an officer in some of the colonies, who should be especially charged with the protection of the natives, would be a good measure. I am very far from intending to imply any censure against His Majesty's representatives in any of the colonies, or any of the constituted authorities there, in the remarks which I now make. But I think it would be a great advantage, and serve greatly to promote the interests of the natives, if His Majesty's Government were to appoint persons whose proper and only business it should be to look after the concerns of the natives, to inquire after the wrongs inflicted upon them by British subjects, and to take measures that the offences thus committed might be visited in a suitable manner; and in connection with that arrangement, I have thought it would be desirable that a law officer should be appointed for the purpose of managing the cause of injured natives in the colonial courts, and of whose services the natives might always easily avail themselves.

4351. Mr. *Gladstone.*] Do not you apprehend that it would fall naturally within the jurisdiction of the attorney-general, and might be fairly assigned to him?—I am not prepared to maintain that it might not be included within the jurisdiction of the attorney-general; if the attorney-general were invested with sufficient power to accomplish the object, a new appointment might then be unnecessary.

4352. If the jurisdiction of the courts were extended, would not the attorney-general's office meet that object?—Perhaps it might; but then the attorney-general must be on the spot; in the colony of the Cape of Good Hope, he lives some 700 miles from the Caffre frontier.

4353. Sir *R. Donkin.*] Are the Committee to understand that you are for affording protection to the natives against the aggressions of British subjects, by extending the jurisdiction of the colonial courts beyond the frontier, but without providing a corresponding protection for British subjects beyond the frontier, against aggressions from the natives?—No, I did not intend that that should be understood. I was merely speaking in answer to the question respecting what protection should be afforded to the natives.

4354. Do you wish to give the same protection to the British against the native aggressor, that you would wish to give to the natives against the British aggressor?—Certainly I should recommend that protection be afforded to British subjects.

4355. By what machinery, or persuasion, or system of force, would you bring the natives to submit to such a jurisdiction for the defence of British subjects: suppose one of the natives commits an offence against a British subject?—I did not understand that the question put to me embraced both those views, and in considering the subject I have turned my attention to what I conceive to be the only design of the question. I state now, generally, that in what I say I am not to be understood as wishing to withhold protection from British subjects. I would have those measures pursued which should secure equal justice to both parties.

4356. What should those measures be?—I am not prepared to state what measures ought to be adopted in order to accomplish, in all cases, the latter object.

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4357. But if the jurisdiction of the colonial courts were extended as you recommend, beyond the frontier, you mean that the power of those courts should not be exerted all on one side, but should equally protect the native and the British subject?—I can have no objection to that, if it can be accomplished.

4358. But you cannot state any means by which this double protection can be so extended?—I am not prepared on the first proposal of the question to describe the apparatus by which the twofold object could be effected in all the colonies. As to the principle, however, it is perfectly clear that protection ought to be secured for British subjects against the aggressions of the natives.

4359. Do you think it possible that by any arrangements of the colonial courts such even-handed protection to both parties can be afforded?—I do not know whether by the extension of the colonial courts both objects could be practically secured; but if proper measures were taken to protect the natives, I conceive it would be possible for the British Government to exert such an influence over the native chiefs, as to induce them to adopt a corresponding arrangement, by which they would take care that, at all events in their own way, redress should be afforded when any of the natives might commit acts of injustice against British subjects.

4360. You are aware that this Committee are sitting for practical purposes?—Yes.

4361. Then theories and hopes such as you express can lead to no result, unless you point out the means by which those theories and hopes can be carried into practical operation: do you admit that?—But——

4362. *Chairman.*] Do you admit it to the full extent in which it is put? is not it possible for you to suggest a certain measure, without being able to enter into all the machinery by which that measure should be carried into operation?—I was proceeding to say, that I conceive it is not my business to point out the means for accomplishing the last-mentioned object. I have embraced the whole range of the question which was submitted to me in writing. I do not consider that I was called upon by that question to devise plans for the protection of British subjects; the question relates exclusively to measures to be recommended for the protection of the natives.

4363. Do not you think there is this distinction; that if an European chooses to go amongst savages he must subject himself to the consequences, but that if he chooses to go amongst savages we have a control over him, and ought to take care that he shall not injure and kill those people?—Yes.

4364. *Chairman* to Mr. *Beecham.*] What further measures of protection for the natives do you think it would be desirable to introduce?—The remarks which I have already made relating to the extension of the colonial courts, and the appointment of new officers, were intended to apply to the colonies generally. I wish further to remark more particularly upon the state of things in one of our colonies. I have long regarded the system of policy which the British Government have pursued towards the Caffres as very defective and injurious in its operation; and I consider that the events of the late war call imperatively for the substitution of a better system. Now, although I cannot pledge myself to contrive all the machinery of a new system, or describe it in all its minute provisions, I would offer a few suggestions on the subject, as to its leading features and the principles which it ought to embody. My remarks would first refer to the system itself. I have found a memorandum of some remarks on this subject, which I made at the request of a distinguished individual, some time during the course of last year. I see no reason to alter the views which I then expressed, and with the permission of the Committee, I will endeavour to give those views as nearly as possible in the words which I then used. I find it headed "Necessary Characteristics of a New System," and it is as follows:—

In the first place, the new system must be just towards the Caffres. The government having encouraged the English colonists to settle in the eastern province of the colony, is undoubtedly bound to regard their interests, and afford them all necessary protection; but the rights of the Caffres must be equally recognized and secured, on the principle, that colonization is only capable of vindication when the natives receive compensation for any diminution in their lands, by the communication to them of the blessings of Christianity and civilization; the Caffres must be compensated for the lands which they may have lost, by a suitable provision being made for bringing them under the influence of our Christian and philanthropic institutions. The penalties to be imposed for their transgressions against the colony must be equitable; sufficient to deter them from a repetition of the offence, but not so excessive as to oppress or exasperate them. The Caffres have a sense of justice, and in some

some instances their own laws impose very suitable penalties for offences. In order to secure a just and equitable settlement of the question now at issue, the plan of Earl Macartney and Lord Charles Somerset must be avoided: one chief must not be selected to treat with, for the rest of the independent chiefs; he must neither be required, or allowed, to barter away their rights, nor be made responsible for their conduct. Separate treaties must be made with all the principal chiefs, and each be held responsible only for his own engagements.

Secondly, It must be intelligible, and generally understood. Separate treaties with the principal chiefs will greatly tend to this; but it will be necessary to have the treaties written, and given to the chiefs, as well as preserved in the colonial courts. Many misunderstandings have arisen in consequence of the former treaties having been verbal.

Thirdly, It must be equal in its operation upon the colonists and the Caffres; there must not be one law for the white man, and another for the black. Equal provision must be made for the punishment of the colonists and traders who may offend, that the Caffres may be made to respect the system, seeing that it deals even-handed justice. If the colonists, under the old system, injured the Caffres, the fault was in the system itself. Without admitting it in fact, all the blame that has been imputed to the Dutch and English colonists might, for the sake of argument, be admitted as true, and what would be proved? why, that the system which allowed them thus to act was defective and erroneous. Had the system been what it ought, it would have restrained the colonists from those injurious excesses, as well as the Caffres from their depredations.

Fourthly, It must be prompt in its administration. Much of the evil under the old system arose from the delay of sending to Cape Town, and from the want of correct information under which governors must often necessarily act, at the distance of 600 or 700 miles. To secure a prompt and vigorous administration, the appointment of a lieutenant-governor, to reside at Graham's Town, appears to be indispensably necessary.

Fifthly, It must be steady. The present generation of Caffres have witnessed the operation of no other than the most vacillating, inconstant system ever pursued by a Christian government; and especial care must be taken to impress the new system with the character of stability: fixedness in even a good system is necessary to remove suspicion from the minds of the Caffres, and inspire them with confidence.

Such were my views at the date of this memorandum. I ascribed the war principally to the working of the frontier system, rather than to the acts of individual colonists, and was impressed with the conviction that a system which had operated injuriously on both Caffres and colonists ought immediately to be substituted by a better; and should the Caffres within the Kye now become our fellow-subjects, a system possessing such characteristics as are here sketched out, will notwithstanding still be necessary for regulating the intercourse between the colony and the independent Caffres beyond the Kye. My remarks, in the second place, will refer to the creation of new offices, for carrying the new system into effect. One of the new offices which I contemplated when I wrote the memorandum, was the appointment of a lieutenant-governor, who should reside in the eastern province of the colony, and that part of the plan has already been carried into effect; a lieutenant-governor has been appointed, and therefore that point is settled. The suggestions which I offered the other day, in reference to the appointment of a protector for the natives, and also of a legal officer who should undertake their cause in the courts of law, apply in the present case. I think that the appointment of a civil officer for the express purpose of watching over the natives, and protecting them from oppression and wrong, will be necessary in order to carry the new system into effect. My remarks, in the third place, will have reference to the mode of enforcing the new system upon the Caffres. I do not know that I can express myself better than by saying that it must not be by a military process, but by legal means; by making every independent chief answerable for his people, and engaging him by treaty to procure the redress of grievances according to their own forms of law. These are the suggestions which I would wish to offer, in reference to the existing state of things on the eastern frontier of the colony of the Cape of Good Hope.

4365. *Chairman* to Mr. *Ellis*.] What measures would you recommend for the protection of the natives?—Any effectual protection to the aborigines of the countries we visit or colonize, will not only show a just sense of the obligation arising out of the relation we are brought into with them, but also be an act of great benefit to our own countrymen, as it will prevent much crime on their part, and its inevitable consequences, retaliations, which are sooner or later proportionably disastrous to the first aggressors. No single measure will be applicable to all. The circumstances of the aborigines with whom we come into contact are exceedingly diversified, and include every variety in the social state, from the aborigines of New Holland, perhaps the lowest in the scale of civilization of any portion of the human race, to the advanced state of the inhabitants of India. Every measure must therefore be framed with reference to the special circum-

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stances of the people to whom its provisions are to be applied; but there are certain broad principles which must form the basis and must pervade the details of every measure that can be expected to answer this end, and that never must be lost sight of in carrying out such measures. Those principles are obvious: I do not presume that I have any to suggest that have not occurred to the Committee; but it appears to me, that in order to protect the natives and to protect also our own countrymen, all our intercourse with them should be based upon the principles of humanity, justice and truth. It is a melancholy fact, that in almost every instance of the first intercourse between Europeans and uncivilized nations, there has been a cruel disregard to the first and strongest dictate of humanity. Europeans have proceeded under an impression that it was necessary, in order to secure or accomplish any objects for which they sought intercourse with the natives, to convince the latter of their power to chastise or to destroy; disregarding, under this impression, all consideration of right, we have generally had recourse to the deadly effect of fire-arms, and have generally become murderers in order to repress confidence and inspire them with dread. I could adduce from the South Sea Islands many instances of this. I might mention the first, Capt. Wallace; he was the first of our countrymen that went there, about 50 years ago. The people were astonished at the ship, they were examining the flag that hung prominently over the stern of the vessel; it was considered they were taking too great a liberty, and that this might lead to unfavourable consequences, and a man was fired at, and life was destroyed before any intercourse had taken place between our countrymen and the islanders. There are some most affecting instances on record in the evidence of this Committee, and there are others that might be adduced; such as a ship sailing along near the shore of one of the islands, in which the people crowding around it to see, when the guns charged with grape shot were fired among them, for no other purpose than to show them the power of the English. It should be laid down as a principle in all our intercourse with uncivilized tribes, that persons thus disregarding the solemn obligation of humanity, thus deliberately taking away without any just cause human life, should be liable to the penalty which our laws inflict for the perpetration of the same crime at home. The next principle should be a regard to justice. Here I refer especially to the seizing the land of the people whose country we may colonize, and the expulsion or annihilation of its rightful possessors. It has been our custom to go to a country, and because we were stronger than the inhabitants, to take and to retain possession of the country, to which we had no claim, but to which they had the most inalienable right, upon no other principle than that we have the power to do so. This is a principle that can never be acted upon without insult and offence to the Almighty, the common parent of the human family, and without exposing ourselves, sooner or later, to the most disastrous calamities and indelible disgrace. No colony, founded in plunder, often in murder, whose first acts were those of flagrant injustice and cruelty, can be expected, if we believe in the righteous government of Divine Providence. Our settlements in different parts of the world can only be honourable, safe and advantageous, when founded in justice. Our intercourse with the natives should further be regulated by a regard to truth. Uncivilized nations, though they are our inferiors in power and in knowledge, are capable of estimating the force of truth; and it is astonishing the influence that a regard to truth has upon them, and the extent to which our characters deteriorate in their estimation when our engagements are violated. These principles, it appears to me, should form the basis of intercourse with uncivilized tribes. By some they may be regarded as not connected with Christianity; but Christianity comprehends them in the injunction, that whatever we would that men should do unto us, we are commanded to do unto them. Nothing will more effectually tend to render our intercourse with uncivilized tribes beneficial than our inspiring them with confidence; they are soon taught, by severe experience, confidence in our power, and they should have confidence in our justice and truth. A course of procedure which shall secure this, will most effectually prevent aggression and violence on one part, and retaliation on the other. We shall avoid the most frequent causes of dispute by recognizing their inalienable right to the soil they inhabit, and the productions of the soil, whether game or fruits and roots, on which they live; as in those countries where the people live by hunting, or as in the South Sea Islands, where they live upon the produce of the bread-fruit and cocoa-nut trees. I would earnestly recommend that it be enacted

enacted by Parliament, as a principle in the establishment of colonies, settlements or factories by British subjects, among uncivilized tribes, that no colony be founded, no house built, no garden inclosed, and no portion of land be occupied by any person going to those countries, or disposed of by any British subject in authority on the borders of those countries, or by any sanction of the British Government, unless the same has first been secured by open treaty, the terms of which are understood by the native proprietors of the country, and agreed to by them, and which shall be preserved in writing for reference, to prevent future quarrels, or by just and equitable purchase. The transfer of their lands to strangers should not be a surrender imposed upon them by fear that worse consequences will follow if they refuse; nor should it be a purchase that should be merely nominal, a bauble, such as a string of beads or buttons, in exchange for that on which their existence depends. I would further recommend, that native authorities should be treated with respect, and that regard should be shown to their laws and usages, so far as can be done without compromise of character or virtue. It is customary to treat them with contempt, and to consider it beneath us to observe the usages and laws by which their society is regulated; needless offence is thus often given. The object of the Committee would, I apprehend, be promoted by the appointment of residents among them, who should be amenable to their laws; the chiefs to be informed that they are liable to be called to account by the British Government for the conduct which the governors of the country may pursue towards its subjects. There is only one of two principles that can be adopted on that head; that is, either making British subjects amenable to the British law, and giving the chiefs an appeal to the British authorities, and making the Caffres amenable to the British laws. In reference to traders and others going beyond the boundaries of our colonies, and residing occasionally or permanently among the natives of the adjacent countries, I do not perceive that anything can be done better than to stipulate, in a written treaty with the native chiefs or rulers of the country, for the protection of British subjects, so long as they conduct themselves in a sober, honest and peaceable manner; guaranteeing on our parts equal protection to any natives that may come within our colonies, so long as they are guilty of no breach of the laws of the same. This would render natives residing under our government, subject to our laws; and Europeans who voluntarily, for any purpose that they may deem advantageous, leave their own country and fix their residence in a country under the government of native rulers, amenable to the laws and usages of that country. There is nothing unjust in this, and it will I apprehend be found in practical operation the most simple and satisfactory. In reference to transient visits to islands or coasts remote from our colonies, I would recommend, as a means of protecting the natives of those countries, that seamen, traders and others, should be liable to be called to account for robberies or murders committed on the inhabitants of such islands or coasts, on the return of the former to the colonial port from which they may have sailed, or to this country. Some more efficient enactment of this kind, framed on the principle of the regulations of the government of New South Wales in 1813, or the Act of Parliament, 57th of the King, passed in June 1817, "For the more effectual punishment of Murders and Manslaughters committed in places not within His Majesty's Dominions," would operate most advantageously in restraining from outrage and bloodshed.

Occasional friendly communications from the home or the local government to the native authorities of the aboriginal tribes that we are in the habit of having intercourse with, would tend much to create and maintain a good understanding. The influence of such communications would be great, and their effects equally salutary to all parties. In regard to maritime countries, there should be instructions to naval commanders to treat native authorities with suitable attention and regard to their laws, and encourage their efforts to introduce wholesome regulations, industry, sobriety and peace; to show by their respect for the religious services of missionaries, when any are stationed at the places they visit, that they belong to a Christian country. The indirect influence of such deportment would be exceedingly valuable in promoting the welfare of the people, as has been most satisfactorily shown in the truly honourable conduct of most of the naval commanders who have visited the South Sea Islands. Native tribes would be further protected by the appointment of a resident of high moral character, and suitable qualification, to protect British interests in countries with

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which we have intercourse, and to counsel the chiefs in political, civil or mercantile affairs. We should thus afford them all the advantage of our experience and influence, and helping them forward in the adoption of beneficial measures, and in laying the foundations of such institutions as would greatly promote their civilization and prosperity. Thus we should prove real benefactors to them, and our intercourse be a blessing and not a curse. If such officers were invested with power to investigate complaints, receive evidence, and examine witnesses, in cases of aggression on the part of the Europeans on the natives, or of the natives on the Europeans, it would be a great means of preserving peace and life. In the event of the natives being the aggressors, they might be handed over to their own chiefs, to be punished according to the forms of a treaty which should form the basis of our intercourse with them. In the event of aggression on the part of visitors, the evidence taken, the accuser and the accused having been confronted, should be forwarded to this country; and the parties should be liable to be proceeded against on such evidence, duly authenticated, on their reaching this country, or the colony from which they might have proceeded. Should a British resident at any port or island visited for traffic by Englishmen, find physical power necessary to carry into effect the awards he might adjudge on his own countrymen, by a treaty with the native chiefs, native power might be furnished and employed by the chiefs, on the authority and under the direction of the English resident: it would never do to employ the natives but under their own chiefs. Further, it would be a means of protecting the natives of maritime countries, if any captain were liable to a penalty for discharging a seaman from his ship, and turning him on shore, without the permission of the chief of the place. A captain should be obliged, at the request of the chiefs, to receive on board and take away any seaman who may have absconded from his ship, and taken up his residence on shore without the consent of the chiefs of the place. Further, the captain of any British ship, touching at any island or port, should be required to remove any seaman left contrary to the will of the chiefs by any former captain, on the request of such chiefs. These are among the chief points that have occurred to me, as the means of protecting the aborigines of the countries with which we come into contact. But I would also beg leave to add, the desirableness of preventing, by every practicable means, the introduction of ardent spirits among the inhabitants of the countries we may visit or colonize. There is nothing more injurious to the South Sea Islanders than seamen, who have absconded from ships, setting up huts for the retail of ardent spirits, called grog-shops, which are the resort of the indolent and vicious of the crews of the vessels, and in which, under the influence of intoxication, scenes of immorality, and even murder, have been exhibited, almost beyond what the natives witnessed among themselves while they were heathens. The demoralization and impediments to the civilization and prosperity of the people that have resulted from the activity of foreign traders in ardent spirits, have been painful in the extreme. In one year, it is estimated that the sum of 12,000 dollars was expended in Tahiti alone, chiefly by the natives, for ardent spirits. I am, however, thankful to be able to state, that the principles of temperance societies have been introduced, and the happiest results have followed.

4366. *Chairman* to Mr. *Coates*.] What measures would you consider likely to conduce to the moral, civil and religious improvement of the people?—Before I answer this question, there are one or two answers in my former evidence that I should wish to explain. In speaking of the destructive effects of colonization upon the aborigines in different parts of the world, I am not sure whether my answer was not too undefined. I meant to speak as to the fact of the effect of colonization upon the aborigines of a country, and not to describe those effects as a necessary consequence of colonization. I am not prepared to say that colonization might not be conducted in a given country, so as not to produce those injurious consequences which I have attributed to it. I am not quite sure that my answer was sufficiently guarded on this point. Neither did I mean to say that colonization necessarily prevents the introduction of education or commerce among an uncivilized people.

I was asked whether, with reference to that horrible transaction in Cook's Straits, which I detailed to the Committee, I was aware of there being any other Englishmen in that quarter, who could have been called upon for evidence respecting it, besides the persons concerned. Now I find since, on looking into the papers, that

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that there were two runagate Englishmen in that part at the time. I merely refer to the circumstance that my evidence may be quite correct.

With regard to the social, moral and religious improvement of an aboriginal people, as a consequence of the evidence I have already given, I state unhesitatingly that Christianity is the instrument to be employed. But I apprehend the present question is rather directed to draw forth any suggestions that I may be able to offer, by which a Christian government may facilitate the use of that instrument in subserviency to the moral and religious improvement of an uncivilized people. In replying to the question in this view of it, as briefly as I can, I would apply myself to it not theoretically but specifically with reference to two or three countries with which the Church Missionary Society is connected; and first, New Zealand. What I should wish to see done in subserviency to the moral and religious improvement of the New Zealanders, so far as the British Government is concerned, is, first, the placing of an effectual restraint, so far as the Government may be able to go in placing it, upon the demoralizing conduct of British subjects. This, I think, it fairly lies upon the Government of the country to attend to: the imposing of such a restraint, where a Christian mission is in operation among an aboriginal people, would, in my mind, go very effectually to promote their moral, social and religious improvement. Then, speaking with reference to New Zealand, I would suggest the importance of the firm establishment of British influence on the minds of the native chiefs. They are at present extremely well disposed towards England: they look to England, and regard this country as a point of reference; as a friendly power. They are disposed, therefore, to receive suggestions and recommendations; and in this way the British Government, without exceeding their appropriate limits, might, I apprehend, materially facilitate the social, moral and religious improvement of the New Zealanders, by its influence on the minds of the native chiefs. But in saying that, I wish to add most distinctly, a protest, if I might venture to employ such a term, against the colonization of New Zealand, on the part of the Government; because, though I do not conceive colonization to be necessarily productive of destructive consequences, yet it has so generally led to that result, that there is nothing that I should deprecate more than the colonization of New Zealand by this country. And this the more especially, as by the agency of Christian missions, there being a mission of the Wesleyan Society, as well as of the Church Missionary Society in operation there, a process is going on, by which those general interpositions of the Government that I have referred to, would secure, so far as any human means can secure, the moral, social and religious improvement of the people, and preserve them entire as a distinct race. I do not know whether it would be precisely within my province, in giving evidence before this Committee, to advert to such a consideration; but as a motive to induce the British Government to exercise this influence over the native chiefs, I think that the political position of New Zealand, on a large view of the question, ought not to be lost sight of. It is unquestionably the key of India on one hand, as the Cape of Good Hope is on the other. And therefore I conceive it to be a matter of deep importance to this country to secure a friendly influence over the chiefs of New Zealand, and the more so because I believe there is no doubt that other powers have at different times contemplated obtaining an ascendancy in New Zealand, by colonizing it.

I have received within the last few days a document, by which it appears that an individual, who styles himself Baron de Thierry, is assuming a sovereignty in New Zealand, which, whether it be ultimately successful or not, has led to the issue of a proclamation on the part of Mr. Busby, the British resident, in opposition to his pretensions. He designates himself as the sovereign chief of New Zealand; has announced his intention to establish in his own person an independent sovereignty in this country, in consequence of an invitation given to him by Shungie and other chiefs, with whom he was in communication some years ago; and an alleged purchase made for him in 1822 by Mr. Kendall, who was then in connexion with the Church Missionary Society. Now the British resident has felt it necessary to disavow this person, and to protest against his proceedings, and to warn all British subjects against having any sort of connexion or concern with him. And I think that affords an additional illustration of the importance of our Government's securing a friendly influence over the native chiefs, which would enable them to prevent its being possessed by any other party, to the prejudice of our country.

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With regard to New Holland, the Aborigines there have a special claim upon the interposition of the Government, as being British subjects; therefore what, as the representative of the Church Missionary Society, I should urge, in subserviency to their moral and social improvement is, in the first place, an extension of that aid which the Government at present gives to the mission already, entered upon as it was at the instance, and by means of a pecuniary grant from the Government,—by an increased pecuniary grant, and (to which I attach far more importance, as to the ultimate benefit of the arrangement to the aborigines) a grant of land around the present mission settlement at Wellington Valley. This would keep off stockmen, and persons of that description, from interfering with the mission and its operations; and if properly cultivated and improved, with reference to pasturage and cattle, might, I apprehend, be rendered the means of indefinitely extending the mission itself among the aborigines. And I conceive this claim stands on the clearest principles of justice. The aborigines have been dispossessed of their country by an act of the British Government; and not only dispossessed of it, but their condition rendered still worse than it previously was, by the introduction among them of European vices and crimes.

With regard to another district, the Zoolu country, in South Africa, I would merely say, that in order to facilitate the due influence of Christianity upon the people in that country, in the event of a mission being entered upon by the Church Missionary Society, I should consider the residence of a British agent at Port Natal as a very imporant auxiliary. It would operate at once to impose that restraint to which I have before referred, upon the demoralizing conduct of the British subjects, and to give a general countenance to the mission among the natives in the districts in which it might be carried on.

I beg to say a few words with regard to Sierra Leone, though I scarcely know whether it falls distinctly within the limits of the question. My impression is that that colony has very peculiar claims to be cared for and fostered by the British Government. It does not stand on the common principle of British colonies, but in a very peculiar relation. The Africans liberated from slave ships are congregated there under the provisions of treaties with the different European powers, and by the provisions of those treaties placed under the special protection and care of the British Government. Now, considering the deplorable and desolate condition in which those individuals are landed in Sierra Leone from the slave-ships, the Government appears to me by that arrangement with the European powers, to have contracted something like a paternal relation and obligation to the people so brought together within that colony, and as a consequence to have really bound themselves to promote the moral and religious, as well as the political and social well-being of the people. Now, I doubt whether adequate means to promote the general well-being of these liberated Africans have hitherto been employed. The Church Missionary Society, aided to some extent by the Government, have for many years carried on a mission specially directed to the religious benefit of those people; but I apprehend the Government owed it to the people to employ those subsidiary means that might have enabled them adequately to benefit by the agency of the missionaries among them. I think the Government was bound to care for finding the people employment; to a certain sense, capital, though I use that term in a very low signification indeed; and a market. Unless the people have those advantages in a greater or less degree placed within their reach, it is impossible, humanly speaking, that they should rise in civilization as their advantages in other respects would enable them to do. This might be done by promoting tropical agriculture among them, by small advances, and by facilitating them in sending the produce of their lands to a market, when it was raised. Considering the peculiar circumstances in which that colony is placed, I conceive those obligations lie upon the Government, which do not lie upon it with reference to any other possession or colony under the British Crown. With respect to trades also, facilities should be afforded to the acquisition of them by the more intelligent and advanced in education of the native youths. Some species of manufacture might also be introduced among the people without any considerable expense to the Government. This has been taken up to a limited extent by our missionaries. One of them states, "the art of spinning cotton was introduced into the girls' school, and a few boys have been taught to weave. We purchased 120 lbs. of cotton, in small quantities of 6 to 12 ounces each:

each: with proper encouragement they would soon raise as many cwts. In 1834, the first piece of calico was manufactured from this cotton in the colony." I mention this as an illustration of the readiness of the people to avail themselves of advantages of this description placed within their reach, urging, as I think I am entitled to do, for the reasons I have already assigned, the obligation on the Government to go out of its usual course in order to supply those advantages to a population so peculiarly circumstanced as that of Sierra Leone.

4367. To Mr. *Beecham.*] What measures have occurred to you, as calculated to promote the moral and social improvement of the natives?—I shall confine myself for the present to the consideration of the question so far as the aboriginal inhabitants of our colonies are concerned; and I will, moreover, limit myself to one single recommendation upon that subject. I would first remark on the system of colonization pursued by this country, for the purpose of laying down a ground on which to rest the general recommendation I have to make. And I would take the opportunity of observing here, in reference to the questions proposed the other day, that I do not imagine that colonization and commerce must necessarily prove injurious to the inhabitants of our colonies, and of the countries that our seamen visit. I think the reverse might be the case: I think that if colonization and commerce were conducted on truly Christian principles, they might be made the means of communicating the most substantial benefits to the different aboriginal nations of the world. What I said the other day related merely to matter of fact, that the general tendency of our system of colonization has been injurious. I say the general tendency, because I have not lost sight of the fact that there have been many religiously disposed seamen and colonists, and other excellent indivduals, who, in their intercourse with the natives in different parts of the world, have to some extent redeemed our national character. Having made this remark in reference to the question of the preceding day, I would beg to observe, that I entertain a very strong opinion as to the evil of the principle on which our present system of colonization is based. I am not sure that I ought to say in this place all that I think and feel upon the subject; but as you invite me to proceed, I must say thus much, that I do regard our present system as founded on a principle of injustice and wrong. When I read some of our Acts of Parliament which relate to the formation of our colonies, I find that the lands of certain countries are sold to the colonists, without any reference whatever to the aboriginal inhabitants: the very countries which, at the time when the Acts are passed, are occupied by various aboriginal tribes, are all disposed of as though they were waste and uninhabited regions. Now I must confess I have never yet been able to see the equity of such a proceeding. I have ever thought, and must still continue to think, unless eternal justice itself should change, that this is essentially and morally wrong; and that our colonization system is thus based upon a principle of unrighteousness. This I regard as the original cause of many of the evils of which we complain; a great proportion of the ill consequences resulting from intercourse between the colonists and the natives, are to be traced to this very source. I do not see what else can follow than very disastrous results. The colonists and the natives are necessarily brought into painful collision at the very outset; the one seeks to obtain possession of the lands secured to them by Act of Parliament, the other to keep possession of those very lands which are theirs by a prior right; and what is the consequence? The whole history of colonization tells us: the natives have to retire, but they retire with irritated feelings, and in the spirit of revenge; and thus the foundation is laid, as the natural consequence of the wrong principle on which our colonization is based; the foundation, I say, is laid of a system of painful and angry intercourse between the colonists and the natives for years to come. Now I make this remark, in order that I may go to what I think the very root of the evil, (for unless this is done, the measures you may propose will not meet the emergency of the case); and having thus traced the mischief to its source, an effectual remedy becomes the subject of inquiry. What can now be done? Our colonies have been too generally founded on this wrong principle, and the natives have in consequence suffered, and are entitled to all the compensation which it is in our power to make. What is the recompense we have now to offer? I can see one and only one way by which our country can now place itself on something like the broad ground of justice, and make compensation to the natives whom we have thus injured; and that is by furnishing them with the means of Christian instruction and social improvement. Now that, I think,

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think, will be something like a fair remuneration for the loss of their lands. If we, as a nation, communicate to the aboriginal inhabitants of our colonies the means of Christian instruction and moral improvement, if we make them the possessors of our common Christianity, and our social and civil privileges, we shall confer upon them advantages which will, I think, counterbalance the loss that they have sustained; for, after all, if the natives are brought to the enjoyment of Christianity and civilization, they will not need so great an extent of territory as they do now in their uncultivated and roving state; a much narrower compass of land will then be sufficient for their comfortable support. I am not speaking on the subject as if we were to begin *de novo*, but in reference to things as they are. The mischief is done, and the question is now how far shall the error be rectified? And my opinion is, that we are bound as a nation to make an ample provision for the religious and moral instruction of the native inhabitants of all our colonies. I am aware that it would be inexpedient for me to introduce a principle here which is not universally admitted; and I would therefore carefully keep out of the range of the mooted Church and State question, and rest my argument on the obvious, undisputed ground of justice. On that ground I take my stand. In our national character, by our legislative acts, we have wronged the aborigines of our colonies; justice requires that we make reparation in the character in which we inflicted the wrong; and I therefore give it as my deliberate and fixed opinion, that we are required to make, out of our national funds, a suitable provision for promoting their religious and moral instruction. I would say, in conclusion, that nothing less than this, in my view of the subject, would discharge the debt of justice which this country owes to the natives of our colonies; and without this, all the arrangements which you may suggest will fail in promoting effectually their moral and social improvement.

4368. Are the Committee to understand that it is your opinion, that we ought in the first instance to observe the very obvious but by no means very well observed rule, of doing to those inhabitants as we under similar circumstances should desire to be done by?—Mr. *Coates.*] Surely.—Mr. *Beecham.*] Yes.

4369. And that, secondly, over and above the ordinary rules which would bind us to treat men in their unprotected condition with justice, they are exposed to very considerable evils in consequence of the visitation of Europeans?—Mr. *Coates.*] Certainly.—Mr. *Beecham.*] Yes.—Mr. *Ellis.*] Yes.

4370. And that consequently they are entitled to the only compensation we can afford, namely, to the introduction of those arts that tend to improve life, and those truths which will promote their eternal welfare?—Mr. *Coates.*] Yes.—Mr. *Beecham.*] Yes.—Mr. *Ellis.*] Yes.

4371. That we are bound to assume as an incontrovertible fact, that they have an inalienable right to their own soil?—Mr. *Coates.*] Yes.—Mr. *Beecham.*] Yes. —Mr. *Ellis.*] Yes.

4372. And that it is nothing short of usurpation and robbery to take from them their soil and means of subsistence, without a fair and adequate compensation?—Mr. *Coates.*] Yes, as to usurpation; but I am unwilling to describe it as robbery.—Mr. *Beecham.*] Yes.—Mr. *Ellis.*] Yes.

4373. And the European intercourse, as it has been too generally conducted, thins their population, debases their morals, leads to violence and outrage, and creates a barrier to the spread of knowledge, civilization, commerce, and the truths of Christianity, which under a better system might be introduced?—Mr. *Coates.*] Of that I have no doubt.—Mr. *Beecham.*] Yes.—Mr. *Ellis.*] Yes.

4374. But that intercourse, as it might be conducted on higher principles, would tend to prevent savage vices and crimes; human sacrifice, war and infanticide, to introduce peace, industry and civilization, to add greatly to our commerce, to improve their welfare, and to advance objects which must be desired by every friend of mankind; viz. the happiness of vast masses of the human race now in a very deplorable and savage condition, and the diffusion of the advantages, moral and intellectual, temporal and eternal, of Christianity?—Mr. *Coates.*] Yes.—Mr. *Beecham.*] Yes.—Mr. *Ellis.*] Yes.

4375. *Chairman.*] To Mr. *Ellis.*] What measures do you think necessary to promote the social, moral and religious improvement of the natives?—I think it should be the object of the British Government, in all intercourse with the nations on the borders of our colonies, not only to prevent the out-breaking of war between them and ourselves, but to promote peace among themselves. There is

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no way in which Britain can exercise a more honourable, powerful and beneficial influence over the aboriginal tribes on the borders of her colonies, than by being a mediator and arbitrator of peace. It is also necessary, in order to their moral and religious improvement, to encourage industry and commerce. It would, I apprehend, be a legitimate object of the British Government, an act of judicious policy as well as generous philanthropy, to send out individuals to promote agriculture and manufactures among uncivilized tribes on the borders of our colonies, to which the Christian institutions of Britain send at their own charge missionaries to teach the principles of religion; to supply them with iron tools and stores, and whatever might assist them in the infantine state of their civilization. Their moral and social improvement would also be promoted by exempting the produce of their country from duties; the want of this has been fatal to the efforts of the Taheitans and others in the South Seas, in some respects. At one time they had a great many acres under culture with tobacco. They hired a person from New South Wales to teach them to grow and dress it, and they sent a quantity to that colony, which by competent judges was considered better than any other in the market; but in order to prevent the introduction of tobacco from Brazils, there was a duty upon the article so heavy that the natives suffered a serious loss, and have since given up the cultivation altogether. I believe some of their other articles are also subject to a duty, which operates very unfavourably. It would not be perhaps too much for a government standing in the position in which the British Government does, to afford to people in such circumstances every facility and encouragement in commerce which the remission of such duties would afford. But chiefly, I would observe, that the moral and social improvement of the natives of different countries would be greatly promoted by our removing, in the countries under our influence, every possible impediment which the missionary finds in the way of free access to the people, or the people in the way of receiving his instructions; I refer more particularly to the difficulty felt in some of our colonies to the attendance of children at the schools. Christianity itself has never been introduced to heathen countries by Government. Governments cannot advantageously attempt to propagate it; they can serve it best by protecting the missionaries sent out by our religious institutions, in the several countries in which they prosecute their labours. By this means, I apprehend, they could most effectually promote the moral and social improvement of the people.

4376. Mr. *Lushington* to Mr. *Coates*.] Does your experience lead you to believe that it would be advisable to begin with civilization in order to produce Christianity, or with Christianity in order to lead to civilization?—Most distinctly with Christianity in order to the civilization of a savage people, in any proper sense of the term civilization. Of course a good deal will depend upon what is meant by civilization. If civilization be intended to mean the moral and social improvement of a people, my opinion is distinctly that Christianity is the instrument by which to bring it about. I form this opinion from several reasons, derived partly from the nature of Christianity itself, and partly from the history of Christianity. I feel the question proposed to me by the Committee to be a very serious one, and therefore trust the Committee will extend their indulgence to me in attempting an answer to it.

I think I should not do justice to a question of this gravity without first adverting (and I will do it very briefly indeed) to the reasons for the opinion, derived from the nature of Christianity itself: I find the preceptive part of Christianity tends to make men peaceable, honest, sober, industrious and orderly. These, in my opinion, are the very elements of civilization, in the moral sense of it. I find in the Christian scheme the doctrines of man's fallen state through sin, redemption by Christ, renovation by the power of the Holy Ghost, and the great and awful sanction of an eternal judgment. Now it is clear to my mind that the impression of these great principles on the heart of man tends directly to make him humble, self-denying, philanthropic, beneficent, apart from the consideration of those effects of the doctrines which may be considered more strictly of a religious or theological kind. Those principles, I apprehend, cannot exist in force in any community without the moral and social well-being of that community being greatly promoted. I look again into the Christian scheme, and observe the very emphatic description of the Gospel; it is declared to be "the power of God." I think that the phrase must be understood to imply, in any reasonable interpretation of the words, a Divine influence accompanying the preaching of the Gospel. I see therefore in that, an arrangement and process by which the human

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human mind is to be operated upon in a more powerful manner than any other agency that can be imagined. I look farther into the Christian scheme, and find it to be a revelation from God: now if God be, as the Bible teaches us that he is, supreme in benevolence and beneficence, as well as in power, wisdom and knowledge, then I think the inference is most clear and irrefragable, that to bring that revelation to bear upon mankind is to promote their temporal welfare, as well as to provide for their eternal salvation. I very slightly allude to these important topics, because I am unwilling to trespass unnecessarily for a single moment on the time of the Committee; but considering the extreme weightiness of the question, I think I should not have fairly brought it under the notice of the Committee without thus briefly referring to these considerations.

But I pass to the second series of reasons; those which are derived from the history of Christianity. This is a branch of the subject of such immense extent, that it would be quite impracticable for me to do more than to glance at it in the most rapid way possible, on an occasion like the present. If I look at the state of the world when at the rise of Christianity it found Rome in the zenith of her power and glory, in the highest state of civilization, as civilization could exist in a heathen land, that mankind was ever advanced to, perhaps with the exception of Greece, which was already on the decline from her glory, and therefore I do not more particularly refer to Greece. In Rome at this period, among other practices which I will not dwell upon, that of selling their prisoners of war into slavery prevailed, and that of exposing their prisoners of war in their public games. I find too in Rome, at that period, their gladiatorial games; man opposed to man in mortal conflict. And this not an accidental occurrence, but an established order of things; exhibited not in private, not only occasionally, but habitually at their theatres, and to the most polished and distinguished of the whole population. What do I find at the expiration of a few ages? Christianity attains the ascendancy, and these things are extinct.

I dwell on no other topic of ancient history, but come down to modern times. I contrast the state of the European nations with, I will not say, those of Africa, but with the more civilized nations of Asia; and here I trace a distinction so broad and obvious, that it need not be insisted on. I see clearly that it is Christianity which has conferred upon the European nations this distinction.

I would only attempt further to illustrate this bearing of the subject, from three or four facts of a recent date. At a recent period suttees prevailed throughout our possessions in India; they are now prohibited. The voice of Christianity in this country unquestionably wrought the change. The abominable pilgrim-tax is suppressed in India by authority, and this was effected by the expression of Christian opinion and feeling in this country. I look back on the enormous evils of the slave trade: the slave trade is suppressed, and suppressed unquestionably by the force of Christianity in this country. I come to a still more recent period, a very recent one indeed: I see slavery abolished throughout the British colonies, and that at the cost of 20,000,000 *l.* of public money; the result, most unequivocally, of the state of Christian principle and feeling in the country; a national act, I will venture to affirm, unparalleled in the whole history of human legislation, the glory of which redounds exclusively to Christianity.

I now take up this question under a different aspect, and one with which the Committee may think that I am more immediately concerned; I mean as it is illustrated by the effects of modern Protestant missions. I look at the operations of the United Brethren in Labrador and Greenland. I do not dwell upon them, as the friend more immediately connected with those missions will probably give that evidence himself to the Committee. Again, I witness what has resulted from the labours of the Baptist, London and Wesleyan Missionary Societies, in barbarous nations; but neither do I dwell on them, the friends on my right hand having the means of exhibiting them fully to the Committee. But I notice more particularly those of the Church Missionary Society; and here my difficulty is to present anything like a clear view of the result of the operations of that society, within such a space of time as it might be convenient to this Committee to give to the subject. I hold in my hand a letter from the Rev. John Weeks, a missionary of the Church Missionary Society in Sierra Leone; he has been employed there as catechist for ten years, and was lately admitted to holy orders by the Bishop of London, with a view to resume his labours in that colony as a clergyman. With the permission of the Committee I will read this paper,

as

as furnishing an illustration of the effects of Christianity upon a people like the liberated Africans of Sierra Leone.

D. Coates, Esq.
Rev. John Beecham,
and
Rev. William Ellis.

[*The same was read as follows:*]

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Extract of a Letter from Mr. *J. Weeks* to the Lay Secretary, dated 4 February 1835.

"Perhaps I cannot do better, in making a few brief remarks on the present state and progress of the West African mission, than by commencing with our schools. We have at the present time 1,400 children under regular Christian instruction, all of whom, except those of the Freetown school, are born in the colony of the liberated Africans: of these it may be fairly stated, that 400 are either reading the whole or part of the Scriptures; many of these little ones read to their parents the Word of life, and communicate to them the truths of our holy religion which they had been taught at school, and a few conduct the morning and evening prayers of the family: thus have we been blessed with a large number of little auxiliary missionaries. When I went to Africa, about 10 years since, the average number of colony-born children, who were then old enough to attend school, was 45 in each village, and now there are near 300. There are not five children to be found in the whole district where I have been permitted to labour, who have not been taught in our schools. Such is the desire of the parents for the education of their children, that if any child is dismissed for bad conduct, the parents will not rest satisfied until he is re-admitted.

"Eighteen months before I left the colony (April 13, 1835) the governor sent me 100 liberated African boys, who had just been landed from a slave-ship, to be educated under my superintendence; they were in excellent condition, having been on board the slaver only a few days before they were captured and brought into Sierra Leone. I now thought a fair opportunity was afforded me of trying an experiment, and forming a tolerably correct judgment of what were the capacities of the Africans: not one of them as yet knew a single word of the English language, and when I left, 13 of them could read their Bibles, and 36 the parables, miracles, &c. of our Saviour, and other elementary works; and I trust two of them are by this received into the Christian institution, with a view to their becoming native teachers, and that several others will in due time prove useful assistants in the missionary work.

"The girls are taught one part of the day reading and religious instruction, the other part sewing; but in the last 12 months we have introduced the spinning of cotton, which the boys are taught to weave into cloth: so that by these means habits of industry and usefulness are early inculcated.

"The few following facts will show what a high value the natives in Sierra Leone set on their present privileges of the Gospel. We have a Sunday-school established in each village that is under the superintendence of our society; there are 150 adults and apprentices on an average to each. It is a gratifying fact, to see among this number many parents patiently submitting to be taught by their own children, who are monitors in the day-school; and as soon as ever any of them are able to read the parables and miracles, they will be sure to come and purchase a copy of the Holy Scriptures. Their regular attendance on the means of grace, and the great reverence paid to the Sabbath, by all where the missionaries are labouring, is great cause of thankfulness. It is a rare thing to see a solitary individual following any worldly business on the Lord's-day.

"A few weeks before I left, the governor visited the villages with a view to ascertain the real state of the churches and schools; while engaged in examining the church at Charlotte, which had been begun several years since, but unhappily was never finished, two of the most respectable inhabitants of the village, and members of our church, stepped forward and addressed the governor, 'Sir, we are hungry too much.' On their being requested to explain themselves, they said, 'We are too hungry to have this church finished.' The governor appeared much pleased, and told them he should like to know what assistance the inhabitants would give, and promised to do what he could to assist them. A subscription was immediately opened among themselves, and when I embarked they had collected upward of 30*l.* (each man also offered to give one week's labour); a sufficient evidence that they earnestly desire to see the house of God finished,

"The people of Gloucester actually built themselves a new frame church during the past year.

"Eight months previous to my leaving the colony I told the people of Bathurst, the village where I was residing, I should be very glad to receive from them the smallest contribution to the Church Missionary Society, thereby giving them an opportunity to assist in sending the Gospel to those still in heathen darkness. In a few weeks I got 133 subscribers; some giving a farthing, others a halfpenny, some a penny, which they brought to me every Monday morning; at the end of the eight months I had received from them 10*l.* 4*s.* 7*d.*

"Between 60*l.* and 70*l.* worth of school and religious books were purchased by the people of Sierra Leone during the past year; this includes all the school-books which are purchased by the parents for their children.

"There are upwards of 300 candidates for baptism, who have been on trial for the last four or five years, during which period they have received regular stated weekly instruction; many of these are from the liberated Africans formerly brought up in our schools; 11 were baptized at Bathurst a few weeks before I left the colony.

"We have upwards of 600 communicants. More than 70 communicants out of 184 now at Regent Town, were baptized and admitted to the privileges of the church, by the late

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Rev. W. B. Johnson. These, while many have awfully fallen, have steadily held on their way for the last 12 years, and many have died and gone to heaven. There are 11 youths now in the institution training for native schoolmasters, several of whom give great promise of future usefulness."

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Mr. *Coates.*] The mission to the aborigines of New Holland is of a recent origin, and, as the Committee may infer from the evidence which I gave on Monday, carried on under very difficult and discouraging circumstances. But there are indications of a favourable influence upon the minds even of those people, fully to the extent, I think, of what could have been anticipated in the short period during which the mission has been established. This paper contains extracts from two reports addressed by the missionaries to the governor of New South Wales; the one for the year 1833, and the other for the year 1834.

4377. When was the mission established?—In October 1832.

4378. What is the number of the members of it?—Two clergymen. I would only read two or three extracts from the first report, which extends to the end of the year 1833: "It has not been discovered that these children and youths are in any degree inferior in intellect or ability to learn, to those of civilized countries; they learn their lessons, hymns, prayers, &c., as readily as children in general in an English school." In a subsequent year, the report enters more at large into this point of the intellectual powers of the aborigines: "It has been remarked, that the native children might be taught to imitate certain sounds, or to remember those imitations, and no more. But the missionaries are happy to say it is far otherwise. The gate to knowledge is in a great measure secured against their admission, and they manifest no curiosity to know what is contained therein. Learning to read appears to them a work of impossibility, and therefore they have no heart to it; but when once they have become able to read, and their minds being thereby expanded, they become inquisitive, learning is no longer looked on as a task, but esteemed as a privilege, as well as a source of delight." He speaks likewise of indications of the influence of religion on their minds. Every evening all the natives who are present, unite with the missionary in family worship, and afterwards repeat their prayers in a very solemn manner.

4379. What is the amount of the congregation generally in attendance?—The course of the natives is to come in smaller or larger bodies from the vicinity to the missionary station, at their own option, the missionary occasionally itinerating among them, as he has done to the distance of nearly 100 miles round Wellington Valley. The number who come to the station stay a longer or a shorter time, at their pleasure, and there are sometimes 10 or 20, sometimes 40 or 50 there at a time; but at no period a very large number, for the population is very scanty, and the number assembling at any one time is not considerable. While on the mission station, they are in the habit of attending both the daily family worship of the missionary, and public worship on the Lord's-day.

4380. Mr. *Gladstone.*] In the case of public worship, are they not in the habit of coming at the commencement of the service and remaining till its close?—I think in general they do, but occasionally do not; that is, they occasionally retire before the close of the service. But I would not wish the Committee to understand that I mean to convey the impression that this mission is at present in what may be called a thoroughly organized state, either as to schools or attendance on public worship. But the facts that I have adverted to are important as contrasted with the known character and habits of the aborigines when the missionaries went among them, and the recent period afterwards at which these reports were made. They are small results, abstractedly considered, but I think considerable, adverting to the previous circumstances of the people.

4381. Mr. *Lushington.*] Do you suppose that the majority of those congregations have been in usual communication with Europeans, or that they have been only recently invited to attend?—They have been, I apprehend, in communication with scarcely any European population but the worst part of it, the stockmen on the outskirts of the colony. Wellington Valley is situated about 140 miles from Sydney, in the midst of a district which is occupied by scattered farmhouses and residences for stockmen and persons of that class, who are looking after the cattle and flocks of the proprietors.

4382. Then the congregation is confined to a class of persons who have already had some knowledge of European habits and customs?—Such habits as

are

are incident to that class of persons; but I am afraid none with persons of a moral and religious character. I will read a short extract with reference to their industry: "Many have been induced to work in the missionary garden, in the paddock, &c. In the spring one youth was engaged in driving bullocks at plough, and occasionally ploughing: during the harvest eight natives were daily reaping; several have planted maize, corn, melons and pumpkins, and some tobacco seed, for themselves; some of the children have each a small plot of ground in the mission garden, which they respectively cultivate for themselves."

Another passage describes the progress of translation:

"During the past year constant attention has been given to collecting words and sentences, analysing them, forming a vocabulary, and arranging matter for a grammar. The following portions have been translated into the aboriginal language: First, the Lord's Prayer, the Apostles' Creed, and the Ten Commandments. Second, i., ii., iii. chapters of Genesis. Third, i., ii., iii., iv., part of v., viii., xxvi., xxvii., xxviii. chapters of St. Matthew's Gospel. Fourth, some of the miracles of our Lord. It was thought more eligible to translate an account of the creation of the world, the introduction of moral evil, the Decalogue, the birth of Jesus Christ, his baptism and temptation in the wilderness, some of his miracles, his accusation, trial, death and resurrection, as forming the leading subjects of converse with the natives, than to proceed regularly with one book."

With regard to New Zealand, which is the only other mission in connexion with the Church Missionary Society to which I shall have occasion to refer, I feel much difficulty indeed in putting the subject before the Committee in a satisfactory form, from the extent of matter arising out of the proceedings in the mission, illustrative of its progress. I will pursue any mode in dealing with the subject which the Committee may find most convenient; but it had occurred to me, that if I were to read some one document of a more general kind, illustrating the general progress of the mission, and to put in the remainder of those which I have prepared, and which are all, I conceive, calculated to illustrate the question which the Committee have proposed to me, it might meet the convenience of the Committee, without occupying too much of their time. The paper I hold in my hand illustrates, I think, to a considerable extent, the general results of the mission. It is dated as far back as 1829, but I have selected it on account of its presenting a general view of the effects of the mission.

The mission has been making a steady, and I may say a rapid progress, since that period; so that the statements do not fully do justice to its present state. It commences with an extract of a letter from the Rev. William Williams, one of the Society's missionaries in New Zealand, dated the 8th of December 1829:—

"This day was appointed for our annual examination, which was to be held at Kiddeekiddee. At an early hour the whole settlement was in motion, and a little after seven o'clock the European families and natives embarked in four boats and one large canoe; Mr. Davis and a small party of natives remaining in charge of the settlement. In our passage we fell in with Mr. King's boat and one canoe; and then proceeding together, we arrived at Kiddeekiddee about 11 o'clock. The native mode of salutation at such times is with a rush on both sides and a sham fight, but this was exchanged for the more sober welcome of three British cheers. The numbers met together were about 290; viz. 12 European families, amounting to 72; native girls, 68; men and boys, 150. As soon as we had dined the Europeans met in the chapel, where after the evening prayers, I addressed the brethren, and Mr. Yate administered the Lord's Supper.

"The following morning at nine o'clock, after prayers, the examination commenced; first in the two catechisms which we have prepared, then in writing and accounts. The first class was exercised in sums in addition, subtraction, division and compound addition. In the afternoon the natives dined off temporary tables; the food, which consisted of pork, beef, potatoes and bread, was served up in little baskets, after the native fashion. They had not been eating more than five minutes, when all with one consent left their seats and scampered off with the remainder of the food, it being the native custom never to leave anything which is set before them, but to carry off what they cannot consume at the time. The sewing of the native girls was afterwards examined, when some highly satisfactory specimens were shown: and the next day we met in the chapel, to award a few prizes to the most deserving. Work by the native carpenters was brought forward, which would have done credit in a civilized country. The principal things were a pannelled door, a pannelled gate, a sash, a table and a stool."

The following passage is from a letter of Mr. George Clarke, a catechist, who has been 12 years in New Zealand. He thus writes in reference to this examination:

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"During the examination I could not but contrast in my own mind the present appearance of these natives with their past situation. Here, thought I, are a number of poor cannibals collected from the different tribes around us, whose fathers were so rude, so savage, that for 10 years, with much pain and vexation and exposure, the first missionaries lived among them, often expecting to be devoured by them. A few years ago they were ignorant of every principle of religion; many of them, like their fathers, had glutted in human blood, and gloried in it; but now there is not an individual among them who is not in some degree acquainted with the truths of the Christian religion, which, with the blessing of God, may be the means of his conversion. Not six years ago they commenced on the very rudiments of learning: now many of them can read and write their own language with propriety, and are completely masters of the first rules of arithmetic. But very few years ago a chisel made out of stone, of which many specimens have been sent home, was the only tool; now they have not only got our tools, but are learning to use them. It is true that this is but the day of small things; still greater and more permanent blessings await New Zealand. The Gospel is preached, the Bible is translating, scriptural precepts are taught with scriptural doctrines, and will, I hope, soon be practised, and then the whole train of blessings following the preached Gospel must be theirs also. I do appeal to our friends in England, and ask them whether (taking into consideration all circumstances, in the course of so few years) the Lord has not done wonders, yea, marvellous things in this dark land."

The facts in these papers of a later date take up distinct points, and exhibit them more in detail; and I think they will bear me out in saying that they contain decisive evidence in illustration of the position which I wish to establish, that in order to the civilization of a savage people, the preaching of the Gospel to them and bringing the truths of revelation to bear upon their minds, is unquestionably that which is most efficacious. It operates at the earliest period, and it operates with the greatest permanency, I am persuaded, upon any population.

[*The Papers were delivered in, and read as follows:*]

### Progress of Industry and Civilization in New Zealand.

The missionaries employ the natives who reside with them in those kinds of labour which render them at once useful to the mission, and impart knowledge and form habits calculated to promote their civilization and social welfare. The following passages illustrate this branch of the operations of the mission.

"Kerikeri, 4 July 1831.—The natives under my care have been employed in shingling, fencing, burning lime, carpentering and landing stores."—(Mr. *J. Kemp*.)

"Paihia, 28 September.—Went to Kanakana to attend to my potato planters. If our crops yield moderately, we shall raise in this settlement food for about 100 days, independently of any purchases from the natives."—(Rev. *W. Williams*.)

"Waimate.—Our consumption of iron-ware is much less than it has ever been. Almost all our native boys who labour in the various settlements, desire clothing for payment, which we encourage in every possible way. We do not now give them any."—(Rev. *W. Yate*.)

"With the assistance of natives, I have erected a weather-board building, 40 feet by 20, with a skilling at the back, which we intend using for our chapel and school."—(Mr. *G. Clarke*.)

"As to our mechanical labour, we do it all with the assistance of our natives; such as carpentering, blacksmith's work, &c. We have just finished making 50,000 bricks for our chimneys, and are now employed getting timber and other materials for building our permanent dwellings, barns, &c."—(Mr. *R. Davis*.)

"With my natives I have been employed upon my house in putting up fences, &c. I have also, assisted by the settlement natives, burnt a quantity of lime for the purpose of the European school."—(Mr. *C. Baker*.)

"Employed in attending to native sawyers, to natives digging a well, and to natives clearing land."—(Mr. *J. Hamlin*.)

### Extract of a Letter from Mr. *G. Clarke*, dated 2 November 1832.

"The farming establishment will, I have no doubt, fully answer the expectations of the society, make us in a measure independent of the colony for supplies, as well as be the means of securing for the rising generation all the necessaries of life. It has not a little cheered me, as well as reminded me of the land of my fathers, to see the plough at work. It has very much excited the admiration of the natives, and will doubtless eventually lead them to adopt the same means for cultivating their land. I now see the way opening for establishing our children in this land, and with them I trust the blessed Gospel of peace.

### Extract from Mr. *R. Davis*'s Journal.

"21 November 1832.—We are preparing to do what we can in the way of agriculture. To-day I have been striking drills for Indian corn, which grows very well here, and produces the natives a valuable food; when properly cultivated, it will, I have no doubt, produce abundant crops.

"7 January 1833.—During the last quarter my time was principally taken up in preparing

preparing agricultural implements, in agriculture, and in attending to my natives employed about different work. We have altogether 12 acres of land in cultivation, which is now cropped with wheat, barley, Indian corn, clover and potatoes. My natives have been employed much as heretofore.

" 25 March 1833.—Four horses at plough, breaking up land; one employed collecting manure. Natives employed at carpentering, sowing, fencing, taking up potato crop, and clearing land for the plough. Besides looking over the men, I have worked in the blacksmith's shop."

### Introduction of a Printing Press into the Mission.

Extract of a Letter from Mr. *W. R. Wade*, dated 10 January 1835.

" The arrival of the press is, as we expected, hailed by our friends here as a memorable event for New Zealand; and as for the natives, those who assisted in bringing it ashore shouted and danced on the sand when told it was 'ta pukapuka,' (a book-press, or book-making machine). There is an extraordinary demand for books all around."

### Translations into the New Zealand Language.

Extract of a Letter from the Rev. *W. Yate*, dated 2 January 1833.

" I have again to write to you from New South Wales, where I arrived in the Active, on the 1st of December last. The object of my visit is to carry through the press portions of Scripture, with the Liturgy, Communion, Baptismal and all the other services of the Church, a number of hymns and six catechisms. The Scriptures ready for the press are the first eight chapters of Genesis, the whole of St. Matthew and St. John, with the whole of the Acts, the Romans, and the First to the Corinthians. These when completed will be invaluable to us, and will well repay the time which I must necessarily spend about it."

Extract of a Letter from Mr. *William Colenso*, dated Paihia, 16 March 1835.

" Since the date of my last (January 31), which I trust came to hand in due time, I have been busily engaged in cleaning and setting up the printing-press, and getting it into working condition; laying cases, composing and working-off 2,000 copies of a post 8vo. tract of 16 pp., containing St. Paul's Epistles to the Ephesians and Philippians. A printer in London cannot form a correct idea of the disadvantages under which I laboured in the getting this up and sending it out. In consequence of not having a single lead, I was obliged to substitute paper and spaces for blank lines. I hope the leads, &c. will speedily arrive. I have a native assistant, a fine sharp boy of about 15 years of age; if he prove steady, he will be a valuable acquisition; he rolled nearly all the 2,000 copies, and though he labours under a great disadvantage in my not understanding the language, yet he gets on remarkably well. I trust, dear Sir, that considering all things you will be pleased with this little 'pukapuka' (book), 12 copies of which you have enclosed."

### Progress of Religion in New Zealand.

Extract from Mr. *G. Clarke*'s Journal.

" June 4, 1833.—I would acknowledge with gratitude the goodness of our heavenly Father, in preserving and keeping us in health, and in peace, not only among the poor heathen, but I trust also among ourselves, amidst discouragements arising from the conduct of ungodly Europeans living upon the island, and from the threatenings of the poor heathen, who are continually told that our object is to enslave them. We have very great encouragements to persevere in our labour of love: a deep and I hope an abiding impression is made upon the minds of the natives in general, that there is a reality in those truths which we are daily endeavouring to make known. The old men do not hesitate to say, that they are confident that their children will no longer be guided by the lying vanities which have kept and do still keep them in bondage to 'the god of this world.' A general and growing regard to the Lord's-day is another pleasing feature of the present time; and it is a pleasing circumstance that we are under the necessity of very considerably enlarging our chapel, in order that we may find room for the natives to sit and hear the preached Gospel. It quite cheers me to see, on the Sunday morning, the natives come flocking from the villages around us, many of them an hour before the time of service, in order to get a place in the chapel, and their attention in general would put many congregrations called Christian to the blush. The villages which we visit on a Sunday, and where we have regular congregations of from 50 to 150, lie at the distance of from two to ten miles from our settlements. In every village there are several of the natives who can read and write, and a school is established among them by the natives themselves, where a number are taught to read and write, and old and young are taught their catechism. Their desire for books is very great; and we are all anxiously waiting for Mr. Yate's return from Port Jackson, with the books which he is carrying through the press in order to supply the native wants."

Extract of a Letter from Mr. *W. R. Wade*, dated 10 January 1835.

" Everything here is new and interesting. We already feel ourselves at home, among Christian brethren and sisters; and as to the natives, those I mean connected with the mission settlement, both Mrs. Wade and myself were much pleased with them: their

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habits seem strange at first to an European, particularly the independence and familiarity of those who act as servants to the missionaries; but one thing very soon struck me as speaking volumes to their improved character,—the doors of the mission-houses stand open the whole day, so that natives can come in and go out at pleasure. Frequently a native man or woman will come in, to see anything new, or to have a little chat, and yet it is a very rare occurrence for a single thing to be missing from the premises."

Extract of a Letter from Mr. *W. Colenso*, dated 11 January 1835.

"Throughout the island there appears to be an universal movement, a mighty stirring of the people. The chiefs of distant tribes come down to Waimate and this place, for books and missionaries; these seem to be the *ne plus ultra* of their ambition. I have seen them myself gladly bring their store of potatoes for a book."

Extract of a Letter from Mr. *R. Davis*, dated Waimate, 14 December 1835.

"A very considerable blessing has attended us, and great alterations have taken place since our friend Yate left us. When we last met at the Lord's table we had 74 native communicants; the number of candidates for baptism is considerable, and their number is increasing. The scene in the Waimate and its vicinity is much changed, and we may truly be said to live in a civilised country; our neighbours, those not connected with the seaports, are civil, courteous, honest and teachable. Locks and bolts are but little used and but little needed; working tools are safe, although lying in all directions. Ten years ago a person scarcely dared to lay a tool down, as it was almost sure to be stolen; and even outside pockets were dangerous appendages to our clothing, as things were taken from them."

Observance of the Lord's-Day.

Extract from Mr. *Davis*'s Journal, 25 June 1832.

"Our chapel could not contain the whole of our congregation yesterday, so that we shall have to enlarge it as soon as possible. Ripi and his party continue to listen with attention, and are steady in their attendance on the means of grace. The manner in which the Lord's-day is kept by this tribe would shame many country parishes in England, even where the Gospel is faithfully preached. Their firewood is always prepared, and their potatoes scraped and got ready on the Saturday afternoon, to be cooked on the Sunday; and this is no new thing, as they have proceeded in this way now for a long time."

Extract of a Letter from Mr. *J. Shepherd*, dated 18 June 1834.

"I now go near to the heads of Wangaroa, to a village the principal chief of which is Tupe, whose conduct is highly praiseworthy; and both he and his people call out loudly for our attention. They have built a place of worship large enough to hold 200 persons; they have regularly morning and evening service therein, previously to which they sound a hoe by striking another piece of iron against it, to let all around know that the time for service has arrived. This tribe is, I believe, punctual in keeping the Lord's-day. I have been there on the Lord's-day when from 70 to 80 persons have attended, whose behaviour has been highly satisfactory and encouraging."

Agency of Native Teachers in New Zealand.

Extract from a Letter from Mr. *R. Davis*, 1831.

"You will no doubt be exceedingly glad to hear that the natives are beginning to itinerate among their countrymen to preach the Gospel. Surely good times are near at hand for this country. Some of the lads who are living with me, and who have been principally brought up by us, go out now every Sunday, when the weather is fine, to speak to their relatives on the subject of religion; and the desire which these young men manifest for the salvation of the souls of their countrymen, evidently points out the nature of the religion which they profess."

Extract from Mr. *J. King*'s Journal, 12 December 1832.

"Last month my son and I went to Tápuetá, Takon and Matauri, and were three days among the natives, who manifested an anxious desire to hear and to understand the way of salvation. Some of them have natives living with them, who had lived some time in the other settlements, and who had taught them the catechisms by rote. They all appeared very desirous to learn the meaning of what they hear from time to time."

Extract from the Rev. *W. Williams*'s Journal, 13 January 1832.

"We had to-day a good illustration of the portion of assistance upon which we may calculate from our native teachers. We sent two natives to Tepuke, two to Puketona, two to Waikari, and two to the Kanakana, while my brother went up to the Otuihu."

4383. Mr. *Gladstone*.] Although you laid the principal stress upon the introduction of Christianity, you do not overlook civilization, but you consider that civilization

civilization will be the natural companion and consequence of the effect of the introduction of Christianity?—Most certainly; and I am very glad the question has been put to me, because I rather feared that perhaps I had not distinctly conveyed my own impression upon that point, in what I previously stated to the Committee. Though I have a very clear opinion as to the efficacy of Christianity as an instrument of civilization, I should not be disposed to represent Christianity as preceding civilization, because the moment Christian principle begins to bear upon the mind of man, from that moment his condition as a civilized being advances, and hence Christianity and civilization advance *pari passu*. It is therefore I conceive impossible that civilization should stand still, or not go on in its due ratio, so long as Christian principle is duly brought to bear upon the population.

4384. Do you think they stand in the relation of cause and effect?—Precisely.

4385. Mr. *Lushington* to Mr. *Beecham*.] The Committee will be glad to hear your sentiments upon this question?—My attention has been long directed to this subject, and the firm conviction of my mind that Christianity must precede civilization is the result of the inquiries and observation which I have made. So far has my experience been from proving that civilization is necessary to prepare barbarous nations for the reception of the Gospel, that it has led me to the conclusion that the only effectual way to civilize them is first to evangelize them. I regard Christianity as the parent of civilization, and am persuaded that true civilization cannot be produced without it; I say true civilization, because I am aware that a certain kind of civilization may exist unconnected with Christianity. I have heard reference made to ancient Greece and Rome, for the purpose of showing that there may be civilization without Christianity; but if all true civilization includes the humanities of life, then I must conclude that those celebrated nations had not attained unto it. When I look, for instance, at the theatres of Rome, and witness the gladiatorial shows and fights of men with wild beasts, which were there exhibited, and recollect that such spectacles of cruelty constituted the amusements of the Roman public; and when I moreover remember that in Rome there were no hospitals, no dispensaries, no almshouses, no asylums for the deaf and dumb and blind, in short, none of those humane and charitable institutions which adorn our own Christian land, I cannot conclude that the civilization of the classic heathen was anything better than a splendid barbarism: and whatever may be advanced in its praise, I must still notwithstanding hold that true civilization, the only kind of civilization that the Christian philanthropist can be supposed anxious to promote, cannot be originated but by means of Christianity.

4386. Mr. *Gladstone*.] You are distinctly of opinion that the communication of Christianity must precede an attempt to convey civilization through the understanding of man merely?—Certainly.

4387. Mr. *Lushington*.] Will you give the reasons why you think the plan of civilization cannot succeed?—I would assign two reasons. In the first place, the want of a suitable agency would alone go far to secure its failure. The mere civilizing plan does not in my opinion furnish motives powerful enough to induce men to give up the comforts of Christian and civilized society, and dwell among barbarians, merely to teach them civilization. There is nothing, as I think, but the love of the souls of the heathen that will prove a motive powerful enough to induce individuals to make such sacrifices, and risk even life too. Men may be found who are ready to lay their lives upon the missionary altar, but I think you would not find any considerable number of persons who are prepared to sacrifice their lives merely to civilize the heathen.

4388. Mr. *Gladstone*.] Would you not also extend that observation, that there are no adequate motives to the persons that are to be instructed?—Yes; but before I advert to that topic, I would observe, that we have one case in our own experience as a missionary society, which illustrates the principle I have last laid down. I am not aware that our society has ever engaged in more than one attempt to civilize the heathen, in order to prepare them for the reception of the Gospel: about 40 years since an attempt of that kind was made by Dr. Coke, the founder of our missions. He was induced to form a plan for the purpose of introducing civilization among the Foulahs, of Western Africa. A number of well-disposed artisans of various descriptions were engaged to go and settle among the Foulahs, and it was calculated that after some progress had been made in civilization, missionaries might then be sent to preach the Gospel to those whom civilization should have thus prepared. This undertaking made

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considerable stir at the time. It was patronized by Mr. Wilberforce and other leading men of the day, and great expectations were excited respecting its success. However, it failed entirely, and it failed for this very reason, that the agents who were engaged to carry the scheme into execution did not find sufficient motives to induce them to persevere. They reached Sierra Leone, and there their courage failed them. The motives which had influenced them to embark in the undertaking, were not powerful enough to impel them to advance into the interior of the country, and settle among the Foulahs for the purpose of merely civilizing them.

4389. Mr. *Holland*.] Were the whole of these men mechanics, or people in that class of life?—They were all mechanics. My statement of the second reason that I have to assign why the plan of beginning with civilization does not succeed, will furnish an answer to the question which I only briefly noticed in passing. I do not think that civilization possesses attractions, or furnishes motives powerful enough to induce savages to forsake their course of life for its sake. Civilized life is too tame, too insipid to charm the roving barbarian, and his superstitions are generally found opposed to any change in his accustomed course of life. You must bring the higher motives of the Gospel to bear upon his mind, he must be made to feel the great and important truths of religion, before he will discover anything desirable in the quietness and sobriety of civilized life, or will dare to break through his superstitions in order to pursue it. I believe that the charm of the superstitions of the heathen would alone, in many instances, be powerful enough to prevent them from forsaking the customs of their ancestors, merely for the sake of civilization. It is only when the truths of the Gospel produce their powerful effect upon the minds of the heathen, and arouse them to a consideration of their higher destinies; it is only when they are brought under the influence of a belief in the true religion, that they will dare to break through the bondage of their superstitions, and forsake their paternal customs, which are generally bound up with the superstitions themselves. I may be permitted to furnish an illustration or two of the principle which I am now maintaining, namely, that civilization does not furnish motives sufficiently powerful to induce the heathen to renounce their former course of life. The first of the cases to which I shall refer, is derived from the experience of our society among the Chippeway Indians in Upper Canada, I think I stated to the Committee the other day that I am personally acquainted with a chief of that nation; his Indian name is Kahkewaquonaby, signifying Sacred feathers, he being one of the Eagle tribe: his Christian name is Peter Jones. His father was a white man; but he was brought up with his Indian mother in the woods, and therefore, as it respects his views and feelings, he may be regarded as a thorough Indian. I have conversed with him frequently on this subject. I was aware that the governor of Upper Canada had made many attempts to induce the Indians to renounce their wandering life, and I wished to ascertain from the chief himself what were his views of the endeavours made by the governor in their behalf, and how it was that they failed. He said the fact was simply this, that the offers of the governor had no charms for them; they could see nothing in civilized life sufficiently attractive to induce them to give up their former mode of living for the sake of it. He told me that they gave the governor credit for very kind and benevolent intentions; yet in answer to all his applications, while they thanked him for his kind intentions, they uniformly told him that they preferred their own mode of living to that followed by Europeans. This again was the case with the Indians who are situated in the neighbourhood of the river St. Clair. The governor made several attempts to induce them also to renounce their wandering habits, and devote themselves to civilized pursuits; but they also refused, arguing in the following strain: "Who knows but that the Munedoos (gods) would be angry with us for abandoning our own ways?" and concluded by saying, "We wish our great father the governor to be informed that we feel thankful to him for his goodwill towards us, but cannot accept of his kind offers." It is true, that after some time one of the tribes so far acceded to the governor's proposals, as to consent that he should build them some houses. He built a small number for their use; but it was altogether a fruitless experiment. The Indians only occupied them occasionally, as they used their own huts, without any reference to the comforts or pursuits of civilized life. I have here a letter from the chief himself in his own handwriting, in which he says, in reference to the attempts that had thus been made to promote civilization without Christianity,

Christianity, "I have heard of no instance in this part of the country, where the plan of first civilizing the heathen Indians ever succeeded." Such is the conclusion of the chief himself.

4390. Has your society since endeavoured to introduce Christianity among the tribes to which you have referred as instances where the mere civilizing process had failed?—Yes. To begin again with the Foulahs: although Dr. Coke was not able to find men who were willing to give up the comforts of civilized life in order to teach them civilization, we easily found men who would leave their native country, and go into the interior of Africa and settle among them, for the purpose of teaching them the Gospel. We commenced a mission amongst this people about two or three years since. I am happy to say that the mission is of the most hopeful character; the Foulahs listen to the Gospel, and several of them have already given proof, by a change in their tempers and their lives, that they have experienced its saving efficacy. In regard to the Chippeway Indians, I have to state that they are comprehended in our missionary plans, and that the success of our exertions among them has been very great. The chief to whom I have made reference was the first convert to Christianity.

4391. Are any of the Foulahs Mahometans?—Some of them; but the Foulahs among whom we have commenced a mission are not.

4392. Have your missionaries made any comparison of the facility of converting the Mahometan Foulahs, as compared with those of other persuasions?—They have hardly had time to do that, though the accounts we have received from them are very encouraging. The inquiries that many of the Mahometan Foulahs institute upon the subject of Christianity, afford reason to hope that the offers of the Gospel will not be made to them in vain. We have sent out a well-qualified individual for the express purpose of endeavouring to reduce to a written form the Foulah and Mandingo languages, and to translate into those languages, as early as possible, portions of the sacred Scriptures; and in his last communication he says, it is his belief that if once the Word of God is communicated to the natives in their own language, Mahometanism will give way.

4393. Is it or not your general impression that a Mahometan is more stubborn and more difficult to convert than almost any individual who is not a Christian?—Yes; there is something of a very untractable character in Mahometanism.

4394. Mr. *Gladstone.*] Even as compared with the Hindoo, would you say the same?—Yes. I should say that the Hindoo mind, as far as my experience goes, is more accessible to Christianity than the Mahometan.

4395. Mr. *Lushington.*] Will you proceed to your statement with respect to the Chippeways?—The Indian chief of that nation with whom I am acquainted, I have already said was the first convert to Christianity. He heard our missionaries preach on a visit they had made to the Grand River, which led to a change in his religious views, and this was followed by a corresponding alteration in his character and pursuits. Since that time our endeavours have been attended with such success, that we have now ten very prosperous missions among the Chippeways and Mohawks, and other Indians. We have several native preachers among them. This same chief has now for some years been a preacher, and is engaged in translating the Scriptures into the Chippeway language. He has, I believe, completed the greater part of the New Testament, which has been printed. The last of the Indian stations that we have formed is at the river St. Clair; and our success there has already been considerable. The missionary had more than ordinary difficulties to contend with; and he found it necessary, in order to gain access to them, to travel with them: he went out with them on their hunting expeditions, that he might have an opportunity after the chace to speak to them on the subject of Christianity; and his endeavours among them have succeeded to a great extent. A very considerable number of that body of Indians have now embraced Christianity, and have become a decidedly changed people.

4396. Do you find that the plan of beginning with the Gospel generally succeeds?—Yes, not only with the aborigines of America, but also among the degraded negroes of the West Indies, as well as the remains of the Carib race, which formerly peopled those colonies; among various tribes and nations of West and Southern Africa, among the Hindoos of India, the Budhists of Ceylon, the savage cannibals of New Zealand, and the other islanders of the South Sea.

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In the Friendly Islands, the results of our missionary operations are very remarkable. It is scarcely 10 years since we commenced our missions in that part of the world; and the ancient idolatry of the people has been already to a very great extent abolished. In the whole of the Habai groupe there is not a single idolater remaining, and about 8,000 of the inhabitants of Habai, Vavou and Tonga, have become communicants; while many hundreds of them are so far advanced in Christian knowledge, that they are now engaged in assisting the missionaries to preach the Gospel, or in other ways teaching their countrymen. I would further remark upon the plan of beginning with the Gospel, and say, that success to a certain extent has invariably attended our missionary exertions among the heathen. I do not know an instance in the experience of our society where our endeavours have proved wholly abortive. Wherever we have made attempts to introduce the Gospel among a barbarous people, and have persevered in the use of suitable means, a degree of success has always resulted. And I would add a fact or two which completely demolish the theory that civilization is necessary to prepare the way for Christianity. One fact is, that many of the most savage tribes are more easily brought under the influence of Christianity than those nations that have been for ages in a state of semi-civilization. Take for instance, the case of China: I apprehend it will be generally admitted that China presents greater obstacles to the introduction of the Gospel than the most barbarous nations of the earth. Look again at India, with its literature, its science, and its arts: I do not hesitate to say, that, so far as our experience goes, we find that many of the most ignorant and uncultivated heathen tribes receive the Gospel more readily than the inhabitants of India. The other fact to which I refer is, that where the modern preparatory process has partially succeeded, so far from serving to prepare the heathen for the Gospel, it has only made them more savage and ferocious, and less disposed than ever to embrace Christianity. The Mohawk Indians are an instance of this; and I have the opportunity of stating their case in the words of one who is intimately acquainted with their past and present circumstances. The Rev. Mr. Ryerson, of Upper Canada, in a letter which I have recently received from him, says,

"A striking proof of the inefficacy of merely educational instruction to civilize barbarous tribes, and of the power of the Gospel to civilize as well as to Christianize the most vicious of the human race, is furnished by the Mohawk nation of Indians in Upper Canada. The Mohawks are one of the six nations of Indians to whom at an early period His Majesty granted a large tract of land, situate on the banks of the Grand River, the most fertile tract of land in Upper Canada, lying in the heart of the province, and surrounded by a white population. Schools have been established among the Mohawk nation upwards of 40 years. Most of them had been baptized by a clergyman of the Church of England, who was appointed to visit them once a year for that purpose. The greater part of them were taught to read and write; they were exhorted to till the soil and cultivate the arts of civilized life; yet this nation was more drunken, ferocious and vicious than any one of the five other heathen nations on the Indian reservation. They were proverbially savage and revengeful, as well as shrewd; so as often to be the terror of their white neighbours. In no respect was the social and civil condition of the Mohawks practically and morally improved above that of the neighbouring heathen tribes, by the mere educational and civilizing process of 40 years. The example and vices of the Mohawks were often urged by their heathen neighbours as an objection against the Christian religion itself, when missionaries were sent among them. But a few years ago (1825), when the Gospel was preached to these Mohawk Indians, as well as to the several tribes of Chippeway Indians, a large portion of them embraced it (as have others from that time to this), and became at once changed in their dispositions and reformed in their lives, teachable, sober, honest and industrious, and are improving in the arts of civilization, and cultivating the virtues and charities of Christian life."

4397. You have given evidence to show that Christianity must precede civilization; does your experience equally show that wherever Christianity is introduced, civilization invariably follows?—Yes; our missions among the Indians of Upper Canada furnish striking proofs of that. I have already stated that the Chippeway Indians rejected the offers which the governor made to induce them to renounce their roving course of life; I have also shown that they embraced the Gospel when it was afterwards preached to them; and I have now to offer evidence that they then devoted themselves to the pursuits of civilized life. No sooner were Kahkewaquonaby and several of his people converted to the Christian faith, than they applied to the governor for that very aid which they had previously rejected: this was afforded, and they settled on the river Credit. But I prefer to state the case in the words of the chief himself. I will deliver in this letter, which I received from him in answer to several questions that

that I had submitted to him, embracing the topics which are now the subject of your inquiry.

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and
Rev. *William Ellis*.

[*The same was delivered in, and read as follows :*]

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EXTRACT from a Letter addressed to the Reverend John Beecham, by the Chippeway Indian Chief Kahkewaquonāby, otherwise Peter Jones; dated Credit Mission, Upper Canada, 16 February 1836.

" I will now answer your questions in order:

" *Question.* Whether the Chippeways, on embracing the Gospel, did not immediately begin to apply themselves to civilized pursuits?—*Answer.* This has uniformly been the case with all the tribes which have embraced the Gospel. Immediately on their conversion they have applied to the governor and missionaries for assistance to enable them to settle down in villages, and attend to the things that make for their present happiness, as well as their spiritual welfare. Their language is 'give us missionaries, to tell us all about the words of the Great Spirit; give us schools, that our children may be taught to read the Bible; give us oxen to work with, and men to show us how to work our farms,' &c. *Q.* Whether the Christian Chippeways have not made considerable advancement in civilization?—*A.* The improvements the Christian Indians have made has been the astonishment of all who knew them in their pagan state. The change for the better has not only extended in their hearts, views and feelings, but also in their personal appearance, and in their domestic and social condition. Formerly they were in a wandering state, living in wigwams, and depending on the chase for subsistence. The Christian Chippeways are settled at the following places; viz. River Credit, Grape Island, Rice Lake, Mud Lake, Lake Simcoe, Cold Water, Muncey Town, River St. Clair (Wawanosh's tribe), and Sahgeeng. At each of these places they have made more or less progress in civilization, according to the advantages they enjoyed. The River Credit mission being the oldest station among the Chippeways, I will give you an account of their present temporal condition. About ten years ago this people had no houses, no fields, nor horses, no cattle, no pigs, and no poultry. Each person could carry all he possessed on his back without being much burthened. They are now occupying about 40 comfortable houses, most of which are built of hewn logs, and a few of frame. They are generally one-and-half story high, and about 24 feet long and 18 feet wide, with stone or brick chimnies; two or three rooms in each house; their furniture consists of tables, chairs, bedsteads, straw matrasses, a few feather beds, window curtains, boxes and trunks for their wearing apparel, small shelves fastened against the wall for their books, closets for their cooking utensils, cupboards for their plates, cups, saucers, knives and forks. Some have clocks and watches. They have no carpets, but a few have mats laid on their floors. This tribe own a saw-mill, a workshop, a blacksmith's shop and a warehouse, the property of the whole community. They have about 200 acres of land under cultivation, on which they grow wheat, Indian corn or maize, oats, peas, potatoes, pumpkins and squashes. In their gardens they raise beans, melons, cabbages, onions, &c. A few have planted fruit trees in their gardens, such as apple trees, cherry trees, pear trees, currant and gooseberry bushes; all these thrive well here when properly cultivated. They have a number of oxen, cows, horses, pigs, poultry, dogs and cats; a few barns and stables; a few waggons and sleighs; also all sorts of farming implements. 'I guess,' as the Yankees say, it would require an Indian as strong as Sampson to carry all his goods and chattels on his back now. The clothing for the men consists of a frock coat, made of English cloth or blanket, with a scarlet belt tied round the waist; calico shirts, waistcoats, pantaloons, boots and shoes, (but in winter they generally wear mocassins, made of dressed deer skins), socks, hats, &c. They have all to a man abolished the practice of going bareheaded and the wearing of leggings, as used to be the case, but at many of the new stations they still wear leggings. The females wear short gowns, mantles of cloth or blanket thrown over their shoulders, cloth petticoats, leggings, shoes or mocassins, stockings, broad-brimmed round hats, but many go without anything on their heads. Their hair hangs behind, tied with a ribbon just at the back of their necks. The more civilized part of the women wear cloaks instead of the blankets, and have a shawl round their necks and shoulders exactly like the English ladies. The Indian women at this mission have left off the practice of wearing ear-bobs, nose jewels, and painting of their faces. *Q.* Has not the condition of your women been generally improved?—*A.* The Gospel has of a truth proved to be the saviour of life unto life among our poor degraded women. In their heathen state, they were looked upon by the men as inferior beings, and were treated as such. The women were doomed to do all the drudgeries of life, such as making of the wigwam; the carrying the materials for the wigwams in their wanderings; the bringing in of the deer and bear, killed by the men; dressing the skin, cooking, and making their clothing; taking care of the children, providing fire-wood and making the fires, planting the Indian corn, &c. I rejoice to say, since the introduction of Christianity among us, nearly all these heavy burthens have been removed from the backs of our afflicted women. The men now see that the women were not taken from the feet to be trodden upon, but that they were taken from the side of man that he might love her as his own body, and hold her fast close to his side. The men now make the houses, plant the fields, provide fuel and provisions for the house. The business of the women is to manage the affairs of the house. They sew and make garments for themselves and families, cook, wash their clothing and dishes. The females eat with the men at the same table. You will be glad to hear that they are not insensible to the great things the Gospel has

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has done for them. I have often heard them expressing their thanks to the Great Spirit for sending them missionaries to tell them the words of eternal life, which have proved to be the means of delivering them from a state of misery and degradation."

4398. Have you any other proofs to the same effect?—Yes, I have several other proofs, derived from our experience among the American Indians. The same effects have been produced at our last-formed mission, at St. Clair, as at our oldest mission station at the river Credit. I have a letter in reply to one which I addressed to our missionary there, proposing to him questions similar to those which I submitted to the Indian chief. This letter, although of considerable length, is too interesting to abridge. The missionary points out in the first instance the former degraded state of the Indians at St. Clair; he dwells upon their opposition to the introduction of civilization among them previous to the preaching of the Gospel; and then goes on to show that no sooner did they receive Christianity, than an entire change in their character took place, and they devoted themselves successfully to civilized pursuits. With your permission I will deliver in this letter.

[*The same was delivered in, and read as follows:*]

Copy of a Letter from the Rev. *James Evans* to the Rev. *John Beecham*, dated Mission House, River St. Clair, Upper Canada, 29 March 1836.

To your first query, "What were the condition and mode of living of the St. Clair Indians, previous to their embracing Christianity, and are they all Chippeways?" I reply, They are all Chippeways; they were all drunkards, with one exception; not drunkards in a limited sense, but the most abandoned and unblushing sots imaginable; they were never sober when they could procure anything to intoxicate them: they were idle in the extreme, never attending to any business except hunting; the women being considered the proper persons to manage the agricultural department, which consisted of perhaps half an acre of maize or Indian corn (seldom more), the greater part of the produce of which was in general sold for whiskey at the spirit-store or the tavern; in the vicinity of which places the greater part of their time was spent, embracing every opportunity of soliciting from the whites the means of gratifying their insatiable thirst for the 'fire water,' as they call ardent spirits. Their places of abode, until about three years past, were bark wigwams; and such was their poverty and wretchedness, that could my pen draw a faithful picture, and fully point out their extreme misery, there are few indeed in the island of comforts where you dwell, who would not charge me with exaggeration; but I assure you, that however dark the picture may be shaded, ink would fail to give such a delineation as would come up to the truth. Nor were the women far removed from the men in vice; nay, in some respects their very sex enabled them to be more audaciously obscene. There were but few of them who were not in the constant habit of drinking to intoxication; not being generally permitted to partake with the men of the besotting draught, they would occasionally make brooms, mats or baskets, and sell them for liquor; blankets, kettles, or even the clothing of their persons, were sacrificed at the altar of bacchanalian idolatry. In these frequent scenes of beastly intoxication they could scarcely be supposed to escape those abuses to which their sex exposed them; and as a natural consequence, a squalid, sickly, puny generation are now destined to occupy the places of this once healthy, athletic and noble race of the human species; now generally degraded below the very brute creation, at least in the vicinity of the white settlements, through that baneful curse of the western world, alcohol. Thus sinking in the slough of iniquity, the children were at times exposed to the most severe sufferings by hunger and nakedness. I have known many times a family of small children left to spend several days and nights in the wigwam alone, gathering a few sticks to warm their shivering limbs, or wandering through the bushes to obtain a few berries and roots, chewing the bark of the elm and other trees to satisfy their hunger; greedily devouring the potato peelings and other refuse thrown out by the whites; while their parents (now kind and affectionate) were rolling around some of those hotbeds of vice, those nurseries of crime, the taverns. Polygamy was a prevailing vice among these people; nor was the man bound by any obligation, sacred or moral, to support the woman any longer than his caprice might dictate; consequently it was no uncommon thing to see a woman and her children turned out to provide for themselves (because, in the man's estimation, another possessed greater charms), and thus doomed to drag out a miserable existence, unless some other Indian should request her to clean his fish, dress his venison, and plant and hoe his corn. They were the most prodigal that can be conceived: the annual payments made by the Crown as a remuneration for their lands, together with the presents, amounting to several thousand pounds sterling, were almost useless; nay, in many cases worse than useless, by making them indulge to a greater extent in drunkenness. I have known scores of them to sell all their goods, thus obtained, in two or three days. Such was their insatiable thirst for liquor, that a quart or two would induce them to part with anything they possessed, rather than forego the gratification of a drunken frolic. I have known the Indians to live for days on a dead horse, ox or other animal, rather than leave the spot where they could procure whiskey. Oh my dear Sir, you know little of their misery. I might fill a volume, instead of a sheet, in answer to your queries; but I have said sufficient to show that they were miserable, and

I long

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and
Rev. William Ellis.

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I long to turn my canvas and paint a brighter scene. For a brief, comprehensive, and not by any means an exaggerated description of the Indian character while destitute of the Gospel, I would refer you to 1 Romans, verses 29, 30, 31, to which awful description may be added crimes of equal magnitude in the sight of Heaven, there unmentioned.

Your second query, "Did they show any disposition to imitate the English in their civilized pursuits and modes of living, before they embraced the Gospel?" might be answered at once in the negative; but a few remarks may place the subject in a clearer light. Three years ago His Britannic Majesty's representative in this province (Sir John Colborne), who has ever been much interested in the civilization and improvement of the aborigines, caused 16 houses to be erected for their use and accommodation, together with a residence for the Indian agent, a school-house, and a mission-house, also furnishing a teacher for the school. These houses, although very comfortable, were so little prized by the Indians, that many of them were in a great measure rendered uninhabitable at the time when they embraced Christianity, the windows and doors having in several instances been completely destroyed; and but few of them were ever occupied, excepting as an occasional shelter. No furniture was found in them; the Indians choosing rather to follow their old habit of sitting on the floor and eating with their fingers around the kettle, spreading their skins, &c. on the floor as a bed. The school was so little regarded that the teacher considered it unnecessary to attend; and during the six months preceding their embracing Christianity he only gave 13½ days' attendance, although receiving a reasonable salary during the whole period. They generally planted a little corn, but this is an old Indian custom, and cannot be considered as an imitation of the whites. In fact, I know of nothing in which they imitated the English excepting in their vices.

Your third and last query, "Do the Indians who have embraced Christianity now appear disposed to follow industrious occupations, or devote themselves to the pursuits of civilized life?" will admit of a much more pleasing reply. The first Indian at St. Clair who embraced Christianity was one of the Metai, or conjurors; he had no cornfield, was poor in the extreme, and always drunk when he could procure liquor. He was baptized, together with his family, the 10th December 1834. He commenced clearing his lands and splitting rails, and at the last fall reaped the reward of his labour in a plentiful crop of corn, pumpkins, turnips and potatoes, the produce of about an acre of land, cleared and fenced with his own hands. In February 1835, the chief and several others were baptized and converted, and each appeared to vie with the other who should give the strongest proofs of industrious habits. Last summer these people mowed and stacked 16 tons of wild hay, for the wintering of four pair of oxen, which they now possess for public use among them. They have during the past winter split and drawn several thousand oak rails, with which they are now about to engage in inclosing their several fields of from one to three acres, where they propose to sow some oats, peas, corn, &c., and in the fall to sow wheat thereon. They are now comfortably clothed, having made a good use of the goods received as payment and presents, which were formerly wasted in liquor. Many of the houses now present an appearance of neatness and comfort. Tables, chairs, bedsteads, bed and window-hangings and other necessaries, together with their regular family worship established in every house, morning and evening, proclaim, in language too forcible to be misunderstood, "Christianity and civilization go hand in hand;" and here Christianity is the elder sister, and I believe everywhere else. The school has been well attended during the winter, averaging about 30 scholars; and as a proof that the Indians are not, as heretofore, careless in this respect, I may add that some of the families being now about four miles back in the wood making sugar, (this being the season) frequently come in a morning and bring the children from five to six years of age, and fetch them home again at night, so anxious are they that their children should learn. Many wonder how such a change could have taken place in so short a time: the great secret is this; God has made them new creatures. To His name be the glory! and he will do it to the heathen everywhere, if the Gospel continues to be proclaimed. This people are regular in their attendance upon the ordinances of religion; are peaceful and happy among themselves, and will, if faithful, ere long be a wealthy and respectable collection of Indians. I might point to other nations in Canada where Christianity has done more than at St. Clair, as it is only 15 months since the first Indian has become a Christian. In some of the missions, the Indians, who a few years ago were no less miserable than those of St. Clair, are engaged in useful avocations, as joiners, shoemakers, printers, blacksmiths, &c.; and there are likewise places where years of ill-directed effort have failed even to civilize the Indians, nor will they succeed until the lever of the Gospel shall raise them out of the mire of paganism and ignorance. Then, and not till then, will civilization become their delight.

Mr. *Beecham.*] I might here answer a question proposed by a Member of the Committee on Monday, upon another point. I was asked, whether since the introduction of Christianity among the Indians of Upper Canada, there had been a check given to the decrease of their population? I believe this to be the fact. There is no diminution of numbers taking place among the Christian Indians; on the contrary, they are rather on the increase.

4399. Mr. *Gladstone.*] Do you think it has been by the direct action of Christianity in checking illicit intercourse, or that it has been also caused partly by the indirect action of Christianity in giving a fixed location to the tribes, and thereby

thereby producing settled habits?—I speak of the influence of Christianity generally. Christianity, by the change which it has wrought in their character and pursuits, by saving them from those destructive vices to which they were given up, and promoting that industry which procures for them the means of healthful subsistence, has thus checked the evils under which they were wasting away.

4400. Mr. *Wilson.*] And by checking the wars which were carried on?—Yes; I speak of the entire effect of Christianity; and I think I may safely lay down this as a general rule, that wherever the Gospel has not been introduced among the Indians of Upper Canada, there the process by which the diminution of their numbers is effected is steadily going on; but wherever Christianity has been established, there a check has been interposed to the process of destruction; and on the older stations, among the tribes that have been the greatest length of time under the influence of Christian principles, there the population has begun to increase.

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*Sabbati*, 11° *die Junii*, 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Charles Lushington. |
| Mr. Baines. | Mr. Bagshaw. |
| Mr. Wilson. | Mr. Andrew Johnston. |
| Mr. William Gladstone. | Mr. Holland. |
| Sir Rufane Donkin. | Mr. Hindley. |

MR. FOWELL BUXTON, IN THE CHAIR.

*Dandison Coates*, Esq., the Rev. *John Beecham*, the Rev. *William Ellis*, called in; and further Examined.

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4401. *Chairman* to Mr. *Beecham.*] HAVE you anything further to state, in order to show that wherever Christianity is introduced, civilization invariably follows?—Upon a former occasion I referred, in support of this conclusion, to our experience as a missionary society among the Indians in Upper Canada; and the Methodist missions in the United States, equally with those of Canada, afford evidence to show that where Christianity is introduced, civilization follows; and the evidence they furnish is likewise especially important and interesting, because it, too, stands in striking contrast with the efforts that have been made in the United States, on so extensive a scale, to introduce civilization in the first instance among the Indians. The work from which I shall adduce this evidence is the official history or report of the Methodist missions in the United States, drawn up by Dr. Bangs, under the direction of the board of managers. I shall first refer to the mission among the Wyandots, in the state of Ohio. I have selected a few extracts for the purpose of showing the progressive improvement in civilization which the Christian Wyandot Indians have made. The first extract is from Bishop M'Kendree's report of the state of the Mission in June 1822.

4402. Mr. *Gladstone.*] Who is Bishop M'Kendree?—He is one of the bishops of the Methodist Episcopal church in the United States. He says,

The first successful missionary that appeared among them was Mr. Steward, a coloured man, and a member of our church. The state of these Indians is thus described by him in a letter to a friend, dated in July last: "The situation of the Wyandot nation of Indians when I first arrived among them, near six years ago, may be judged of from their manner of living. Some of their houses were made of small poles and covered with bark; others of bark altogether. Their farms contained from about two acres to less than half an acre. The women did nearly all the work that was done. They had as many as two ploughs in the nation, but these were seldom used. In a word, they were really in a savage state; but now they are building hewed log houses, with brick chimneys, cultivating their lands, and successfully adopting the various agricultural arts. They now manifest a relish for, and begin to enjoy the benefits of civilization; and it is probable that some will this year raise an ample support for their families from the produce of their farms."

The second extract which I shall produce is a letter from John Johnston, Esq. government agent among the Indians, dated Upper Sandusky, Wyandot Mission, August 23d, 1823.

Sir

Sir; I have just closed a visit of several days in attending to the state of the Indians at this place, and have had frequent opportunities of examining the progress and condition of the school and mission, under the management of the Rev. James B. Finley. The buildings and improvements of the establishment are substantial and extensive, and do this gentleman great credit. The farm is under excellent fence, and is in fine order, comprising about 140 acres in pasture, corn and vegetables. There are about 50 acres of corn, which, from present appearances, will yield 3,000 bushels. It is by much the finest crop which I have seen this year; has been well worked and is free from grass and weeds. There are 12 acres in potatoes, cabbage, turnip and gardens. Sixty children belong to the school, of which 51 are Indians. These children are boarded and lodged at the mission-house. They are orderly and attentive, comprising every class, from the alphabet to reading in the Bible. I am told by the teacher that they are apt in learning, and that he is entirely satisfied with the progress which they have made. They attend with the family regularly to the duties of religion. The meeting-house on the Sabbath is numerously and devoutly attended. A better congregation in behaviour I have not beheld, and I believe there can be no doubt that there are very many persons of both sexes in the Wyandot nation who have experienced the saving effects of the Gospel upon their minds. Many of the Indians are now settling on farms, and have comfortable houses and large fields. A spirit of order, industry and improvement appears to prevail with that part of the nation which has embraced Christianity, and this constitutes a full half of the whole population. I do not intend to offer any opinion here on the practicability of civilizing the Indians under the present arrangements of the government, but having spent a considerable portion of my life in managing this description of people, I am free to declare that the prospect of success here is greater than I have ever before witnessed; that this mission is ably and faithfully conducted, and has the strongest claims upon the countenance and support of the Methodist church, as well as the Christian public at large. I am authorized and requested by this nation in council to present to the conference, and through them to the members of the church, their thanks for the aid and assistance rendered unto them by the mission-family in their spiritual and temporal affairs.

The third extract in reference to this mission is from the official report, published in the year 1824, which is similar in its character to the preceding. It is as follows:

We arrived at the mission-house on Friday evening, and found the family and school children in tolerable health. On Saturday we visited the farm, the location of which is delightful and convenient. They have reaped a small crop of wheat and oats, and have about 60 acres of corn growing, as fine in appearance as any I have seen in the western country. They also have raised a fine crop of flax, and have a great variety and abundant supply of vegetables. Three very important purposes are answered by this department of the missionary establishment. The family and school are supplied with bread by their own labour; the boys are furnished with the opportunity and means of acquiring a practical knowledge of agriculture; and an example is exhibited to the Indians, who frequently visit the farm, observe the manner of cultivation, and the advantages arising from it, and nothing is more obvious than their disposition to imitate. Hence their fields are opening, and in many instances present the most pleasing and promising appearance. The buildings on the farm are neat and convenient, but not sufficiently roomy for the accommodation of the increasing household; they will therefore be under the necessity of enlarging them. They milk 10 cows, and make plenty of butter for the use of the family, which is composed of about 70 persons.

The fourth extract is the conclusion to the report of the mission in 1832:

Such has been the commencement and progress of this aboriginal mission as must for ever silence the cavils of those who say that the natives of our forests cannot be reclaimed from their heathenish state; and also demonstrates that the most effectual way to bring them over to a state of civilization is first to introduce them to the blessings of Christianity.

The mission among the Cherokee Indians, within the limits of Georgia, I will next refer to. This mission possesses peculiar interest, because the Cherokees are one of the rare instances where the previous civilizing process that had been tried had been attended with partial success. The first extract I shall present, in reference to the Cherokee mission, is a report which was presented to the conference in 1823.

The expenditure of many thousands of dollars to give the heathen science and occupation, without religion, is of but little advantage to them; for after all their acquirements they are still savages, unless their hearts be changed by the power of the Gospel.

This quotation has reference to the failure of the previous civilizing plan, showing that whatever advance the Indians might have made in human science and learning, yet as it regards their morals and their dispositions, they were still savages. The second extract is from the report of the same mission in 1827, which gives a very satisfactory account of the progress that the Cherokees were then making in Christianity and true civilization.

Through the indefatigable labours of the missionaries this mission extended its influence

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the succeeding year, so that there were reported in 1827 about 400 church members, and the schools which had been established were in a flourishing state. At the last Tenessee conference there were four missionaries appointed to labour here, who, together with a young native preacher, of the name of Turtlefields, formed regular circuits, divided the converts into classes, and administered to them the ordinances of the Gospel. These things had a most salutary influence on the general manners and habits of the people. Instead of pursuing that roving life to which they had been accustomed, and depending upon the chase for a livelihood, those who had embraced Christianity cultivated their lands, and attended to their domestic duties. Civil law was established throughout the nation; meetings for divine worship were numerously attended; and the children were taught to read the Bible, as well as to attend to the duties of domestic life. "The traveller through their settlements," says the report of the committee this year, "observing cottages erected, regular towns building, farms cultivated, the Sabbath regularly observed, and almost an entire change in the character and pursuits of the people, is ready to ask with surprise, 'Whence this mighty change'? Our only answer is, 'Such is the effect of the Gospel.'" Here is a nation at our door, our neighbours, remarkable for their ferocity and ignorance, now giving the most striking evidence of the utility of missionary exertions.

The last extract which I shall quote in reference to this mission is from the official report published in 1832. At this time the Georgian government were endeavouring to remove the Cherokees beyond the Mississippi River. This had a very painful and unsettling effect: many of the Indians refused to go, and one of our missionaries, for advocating their cause, was arrested, imprisoned and otherwise maltreated; and this was the case with two other missionaries. But upon that point I need not dwell; it is only necessary for me to show the progress which the Cherokees had made in civilization up to that time. The report says,

> The state of civilization and domestic comfort to which many of the Cherokees had arrived seems to favour the opinion that they might, with suitable management and encouragement, be reclaimed from their heathenish state, and be brought fully under the power and saving influence of the Gospel. They were already formed into a regular civil community, assimilating in their government to the government of the United States; laws were enacted by the council of the state; judges appointed, &c.; and several of them had received the advantage of a polished education. A new alphabet of their language had been invented, a printing office established, and a weekly newspaper, called the "Cherokee Phœnix," ably conducted, was circulating through the nation. All these things, together with the flourishing state of religion, as heretofore detailed, certainly indicate both a capacity and taste for religious, civil and literary improvement; which, if properly directed and suitably cultivated, might, it would seem, insure them all the blessings of civilized life, and of refined Christian society.

Without quoting other instances in reference to the proceedings of the Methodist society in the United States, I will conclude by reading the following extract from the official report published in the year 1832. It is the general conclusion at which the managers had arrived, in reference to the whole question of Christianity and civilization in the United States:

> From the first settlement of this country by Europeans, whatever efforts may have been made by philanthropists to civilize and Christianize the natives, (and certainly many such efforts were made,) and thus save them from barbarism and destruction, they have almost uniformly either receded into the wilderness on the advance of civilized society, or otherwise gradually melted away, and finally become extinct. Whether an exception to this general rule of calculation will be found in the present benevolent efforts of the Christian community, which indeed have been attended with a success hitherto unknown, time and future events will disclose. It is certain, however, that so far as the Methodist aboriginal missions are concerned, a different method has been pursued, and so far, different results have been witnessed. Instead of endeavouring first to introduce among them the arts of civilized life, and thus gradually preparing the way for their spiritual improvement and salvation, the missionary has marched directly up to the savage heart, adapted his mode of instruction to the condition of the Indian, and his conversion to Christianity has followed. This accomplished, he has been easily brought, by gentle steps, to walk in the path of civilization.

I might, in passing, here remark on the statement in this quotation respecting the fruitless attempts which have been made in America first to civilize the Indians and then to Christianize them; that although I have no documentary evidence upon the subject, yet I know it to be the fact, that so complete has been the failure of the mere civilizing plan, that intelligent Americans have been led, in consequence, to adopt the conclusion that it is necessary to banish the Indians from the neighbourhood of the white population, on the supposition that

that they are not capable of being reclaimed, or elevated into a civilized or well-ordered community,

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With the permission of the Committee, I will now offer some evidence to show that civilization has constantly followed our missionary exertions in Africa, as well as in America. To advert, first, to the Caffres at Wesleyville, our oldest missionary station in Caffraria, I can state that there has been a considerable advancement made in civilization in the Congo tribe. I have heard it maintained that he who raises a savage people from the nomadic to an agricultural state, effects a great and beneficial achievement. Now I am happy to say that the plough was early introduced among the Caffres of that tribe by the Rev. William Shaw, who founded the Wesleyville mission. The introduction of agriculture among the Caffres must be regarded as an object of more than ordinary importance. The Caffres have been from time immemorial a pastoral people, and their cattle have proved a constant cause of irritation and dispute between them and the frontier colonists. Let then agriculture be introduced among them, and let a change be effected in their pursuits, and one important step will be taken towards securing friendly intercourse between them and the colony for the future. Waggons, as well as the plough, have been introduced at Wesleyville; the European costume has been adopted by the people; they have built houses in the English fashion; and a great variety of British manufactures have been sent among them. Such was the demand of the people of this tribe for British manufactures, that Mr. Shaw applied to the government to obtain permission to found a shop or store for the sale of British goods; and I have seen a letter which the chiefs addressed to the governor some time afterwards, expostulating with him on his proposing to abolish that establishment. The press is very justly regarded as an important subsidiary means for promoting civilization; and I have to state that we have long had a printing establishment at Graham's Town, for the use of the Caffre mission, where elementary books and the sacred Scriptures are published in the native language. Education has also been introduced among the Caffres. Just on the eve of the recent war, our committee voted a considerable sum for the purpose of founding a normal school, for training and qualifying Caffre youths to assist in promoting education among their countrymen. This institution will be commenced on Mr. Shaw's return to Caffraria. I would only further remark concerning our oldest Caffre mission, that the Sabbath has been recognised by the proclamation of the chiefs Pato, Kama and Congo, and that the effect of the Gospel in promoting public morals and humanizing the people is observable by all who visit that tribe. At our Bechuana mission, too, on the north of the colony, our efforts have been followed by an incipient civilization. The present locality of that mission is new. The people were under the necessity of removing from their former situation, in consequence of its unsuitableness, and are now settled in the country formerly occupied by the Bashutas, and which had been nearly depopulated by the native wars. In this new locality, the missionaries have an important sphere of usefulness among the Bechuanas, Corannas, Mantatees, and the remainder of the Bashuta people, who are settling in villages in the neighbourhood of the mission stations. On this mission likewise we have a press at work, which is furnishing elementary books and portions of the Scriptures in the Sichuana language; schools are established; and at the last public school examination it was found that many of the children were making satisfactory proficiency. Recently a plan has been submitted to our committee by the missionaries for forming a public store at this mission, to enable the natives to obtain more readily the use of British manufactures.

4402*. Mr. *Lushington.*] Are the several tribes that you have just mentioned of kindred habits?—They are. I would next advert to the Little Namaquas, within the northern colonial boundary. Khamies Berg, among this people, was the first mission commenced by our society in South Africa. As an evidence of the progress which has there been made in civilization, I may refer to the "general laws and regulations" for the new and interesting community, which has been formed by the care and endeavours of the missionary. On examining these, I find, in the first place, a variety of regulations for encouraging building, farming and gardening, &c. In the next place, provision is made for promoting education. It is enacted, "that all the children shall attend school until they have learned to read and write." I discover, moreover, evidence of the care which was taken to guard against the introduction of slavery, the laws having been drawn up while slavery was in existence. It was enacted, "that to prevent anything like slavery being

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being carried on in this place, every New Year's-day all who are or may be taken as servants shall be assembled together, and be free to serve their old masters, or hire themselves to others if they please, under a proper contract." Then, for the maintenance of those laws and regulations, they have two overseers, whose term of office is two years, one going out of office and another coming in every year. They are appointed by the public voice; all persons who are 18 years of age, and who have been two years at the station, being allowed to vote at their election; and those overseers, assisted by a council of six persons, chosen annually, meet every month, to manage the affairs of the institution and enforce its laws and regulations. Great Namaqualand also furnishes evidence of the civilizing effects which follow the Gospel. The attention of our society was directed to this country several years since; but the two missionaries who went thither on a journey of observation lost their lives in the undertaking, and during several years no further step was taken towards the formation of a mission; not that we lacked agents courageous enough to renew the attempt, but other circumstances prevented the immediate prosecution of the design. However, about three years ago we had the simultaneous offer of 200 *l.* to aid us in commencing a mission in that country, and of the services of a missionary, and it was resolved to attempt the establishment of a mission without further delay. The missionary was sent, success has crowned the experiment; and although the mission is of so very recent a date, yet the latest letters from the missionary mention many pleasing instances of an infant civilization already springing up among the people.

4403. Mr. *Lushington.*] Did the murder of those missionaries to whom you have alluded arise from misunderstanding?—No, I believe not. It is understood that they were murdered in the night, by persons who wished to deprive them of the property which they had about them.

4404. Is it consistent with your knowledge that the murder was perpetrated at the instance of the chief?—No; it was ascertained that it was not at the instance of the chief.

4405. Was the present mission received without hesitation?—It was; but the missionary had considerable difficulties to surmount, and for some time we were doubtful whether he would be able to establish himself. So considerable a change has, however, taken place in the views of the chief and his people, and such a very evident effect has been produced among them by the preaching of the Gospel, that we now look upon that as a very hopeful mission.

4406. Can you describe, shortly, the views which the Great Namaqua nation entertain as to religion and the Deity?—I could not, in few words, describe with any particularity their views on such subjects. I may generally remark that they are very vague and absurd.

4407. You suppose that they have some idea of an over-ruling power?—They have some idea of a superior, invisible agency.

4408. Your general information regarding barbarians has seldom, if ever, induced you to come to the conclusion that there is no idea prevails among them of some kind of supreme providence?—I am of opinion that the heathen, almost universally, have some notion of invisible beings, whose power they dread, and whose anger they are anxious to appease. Few instances only, as I should think, could be met with which would form an exception to this rule.

4409. Are you aware of a single instance?—I have been told by one of our missionaries that he met with some few instances, in the interior of Africa, of individuals who did not appear to him to possess an idea of any object of religious regard. Too great stress must not, however, be laid on such cases; because, in similar instances, a lengthened acquaintance has made it apparent that such persons have, notwithstanding, had their objects of superstitious fear. But although the notions which the heathen almost universally possess of beings superior to themselves, may perhaps be safely regarded as proofs that the original revelation which God made of himself has not been entirely obliterated from the human mind, yet it is ever found to be the case that those notions make no approach to correct ideas of the Supreme Being.

4410. Then the first communication of religious truth as it relates to an all-presiding Deity, must come with almost irresistible force upon a mind totally unprepared for so sublime a revelation?—I judge that it is hardly possible to form any adequate conception of the effect produced upon the dark and ignorant pagan when he is first brought under the influence of the scriptural doctrine of the Deity, and all the accompanying sublime verities of the Christian revelation.

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The force of these truths seems to unchain his mind and touch the springs of action in his soul, and he at once appears capable of efforts worthy of a rational and immortal being, and may then be successfully directed to such pursuits as are conducive to his welfare.

4411. Will you proceed with the information you were giving to the Committee?—I have a copy of a letter from our missionary in Great Namaqualand, which has been received since I was summoned to attend this Committee, and which I will put in for the purpose of showing what are the views entertained by the missionaries of the great work in which they are engaged. I am aware that there is a class of persons who are disposed to regard missionaries as visionaries and fanatics, that pay no regard whatever to the temporal welfare of the heathen. Now I give this letter for the purpose of showing that missionaries are not the extravagant enthusiasts which some represent them to be, but that they look at the temporal welfare as well as the higher interests of the objects of their charity; and that while it is their first business, their primary aim, to promote their religious interests, they are at the same time solicitous to introduce such measures as may best promote, in the next place, the work of civilization. The letter contains a comprehensive plan for encouraging the Great Namaquas to devote themselves to those new pursuits for which they now manifest a taste, until they shall rise into a civilized as well as Christian people.

[*The same was delivered in and read, as follows:*]

Extract from a Letter addressed to the Secretaries of the Wesleyan Missionary Society, by the Rev. Edward Cook, dated Great Namaqualand, South Africa, November 4, 1835.

Viewing the people of this and of other tribes, which it is anticipated will unite for the advantages of moral and religious instruction, brought within a circuit convenient for the care of three or four missionaries, and occasionally indulging my imagination with the idea of a town, and here and there a village, rising around the barren spot upon which our half-finished house stands, I have scarcely a hope that for many years to come a sufficient quantity of bread-corn, vegetables, &c. can be grown within the vicinity of such a circuit; but notwithstanding such may be the case, there appears at present no reason to doubt that this situation is the best. Be the kind, quality, and value of the products what they may, and admitting that Great Namaqualand is not likely to bear a heavy population, in the result of its becoming a civilized country, it will require and support a manufacturing town more or less populous; and for such a town the neighbourhood of the hot fountain possesses decided advantages, and more especially in reference to our primary object. There will always be a good supply of water; fire-wood, nearly equal to coal, is very abundant; and of stone for building there is no scarcity: I have not found lime-stone, but we have good clay. The neighbourhood affords short hard timber, tolerably adapted to common purposes, and of it neat furniture may be made. The Orange River banks afford fine long willows, and a few other kinds of valuable wood, as well as a variety of other productions, highly important, and which will be conveniently got and prepared for use when our projected establishment in that neighbourhood is formed. The station is central for the wandering Namaquas north of us, as well as for the heathen and semi-christian tribes spread over the country between us and the colony; which circumstance, and the abundance of water that it supplies, make it already a place of considerable resort; and perhaps the hot spring may, at some future period, be an additional attraction. For grazing a thin proportion of stock the pasturage is good. Cattle increase amazingly, and after the rains fatten in a very short period. The people have a few skins, wooden bowls, ostrich feathers, thatching cord (which they make from the bark of the mimosa tree), &c. to dispose of. They kill a few wild animals for food, but most frequently the zebra and camel-leopard. In the season they gather a considerable quantity of honey, ostrich eggs, and a very nutritious and useful kind of bulb, which multiplies at the root, something like a potato, and when dried and prepared, very much resembles arrow root. To prevent the people from wandering, and to train them to the usages of civilized life, I urge them to bring these productions and store them for their use on the station; and as an encouragement, occasionally purchase from them. The plan of exchanging cattle, &c. for corn I mentioned before, as also that of keeping of cows to supply the most destitute with milk; the latter of which plans has already done considerable good. The increase of the cows I have determined to appropriate to the same destitute class, which measure will enable some poor natives to hear the Gospel, who otherwise could not. I think a sort of general bartering warehouse would be a valuable acquisition, and perhaps hats and cutlery might be manufactured. Such a trade would be a great attraction, and with a proper person to manage it, would redeem much of the missionary's time, which at present is necessarily spent in instructing the natives; and from what I have been accustomed to do, I know it would be a considerable advantage in supplying articles needed for the immediate use of the mission, more particularly cattle for slaughter. Possibly a schoolmaster might be obtained for this place, who, with his wife, could manage the trading concerns. Perhaps something might be done to assist the Great Namaqualand establishment, by buying corn in the neighbourhood of Khamies Berg, and storing it, to be

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conveyed hither as opportunity may offer. We think of going to the Cape in four or five months, when we shall have an opportunity of advising with Mr. Shaw and the other missionaries, and I hope to be favoured with your thoughts on the above propositions as early as convenient.

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Our missions in Western Africa exhibit the same indications of an approaching state of civilization as do those in South Africa. I shall only now refer to our recent mission among the Foulahs. Although it has been commenced so very lately, already a considerable improvement has been made in the temporal condition of the people. His Majesty's Government has kindly given 600 acres of land, on the Island of Macarthy, where our mission premises are erected; and on that 600 acres of land our missionaries have already collected about 30 Foulah families, who are settling there, and beginning to turn their attention to civilization. In the schools that have been formed on the island, and in the press which has been sent for printing elementary books in the native languages, we have thus at that newly-formed station an apparatus for introducing education among the people; and we are now in treaty with one of the native chiefs for the purchase of a large tract of country, contiguous to Macarthy's Island, on which to settle some of the wandering tribes of the Foulahs. The Foulahs, to whom we are directing our attention, have no lands of their own; they are found scattered among the Mandingo people; and it has appeared desirable to ourselves and to those gentlemen who have kindly assisted us in raising funds for the support of this mission, to secure a tract of country on which, as they yield to the influence of the Gospel, they may settle, and have the opportunity of devoting themselves to civilized pursuits. In proof of the benefits resulting from our missionary exertions at Macarthy's Island, I may be allowed to advert to a letter which we have received from Mr. Steinbach, the gentlemen appointed by Government to superintend the liberated Africans at that island. He has been so well satisfied with the good results of our missionary endeavours there, in improving the character and condition of the people, that he felt it to be his duty to address us, although not a member of our society, in order to bear his independent testimony in favour of our mission, and to request the continuance of the valuable services of the missionaries.

I would advert, in the last place, to our missionary operations in the South Seas, for the purpose of stating that we there in like manner witness civilization following in the train of Christianity. I may state one fact, from which the Committee will judge of the attention that is paid to civilization in the Friendly Islands; the fact that we frequently send out to our missions there large quantities of articles of British manufacture for the use of the people. Within the last few months we have sent on board of one vessel goods of various descriptions upwards of 1,000*l.* in value. I may also observe that there likewise the language has been reduced to a written form; and two presses are at work in the islands of the South Sea, printing elementary books and portions of the sacred Scriptures, and a third press has been recently applied for. In connexion with this, education is making similar progress, and at least 7,000 children are receiving regular instruction in the mission schools.

Having adduced evidence furnished by the experience of our own society, with which that of other missionary societies will, I doubt not, be found to concur, in support of the conclusion, that wherever the Gospel is introduced civilization invariably follows, I will not occupy the attention of the Committee longer than will be necessary to state, in few words, my reasons for believing that this connexion between the two is not accidental, but that Christianity produces, or in other words, is the parent of, civilization. I would observe on this point, that the circumstance of our always finding civilization following in the train of the Gospel, is of itself a presumption that Christianity has something to do with originating it; but I think, on examining the subject, I can perceive something between the two like the relation of cause and effect. No sooner does the Gospel begin to operate upon the mind of the heathen than it leads to the first step in civilization. It is shortly seen to be indecorous and improper for persons to meet together in a state of filthiness and comparative nudity in the public worship of Almighty God. The people themselves are soon made to feel, under the teaching of the missionaries, that a more decent exterior is necessary; and thus the first step is taken in civilization, and clothing is introduced. As the next step, the Gospel induces a settled course of life, and tends to promote industry. The people having become desirous to hear the Gospel preached, find it necessary to renounce their wandering life, and to have a settled abode, in order that they may enjoy the regular

regular ordinances of religion. That follows as a kind of necessary consequence. They cannot attend the ministry of the Gospel, the influence of which they are beginning to feel, and the ministry of which they are desirous to enjoy, without changing their mode of life. Having changed their mode of life so far as to take up a settled abode, industry becomes necessary for them to maintain themselves; they are no longer dependent upon the chase; and industrious habits are consequently formed. Education, which is another step in the process of civilization, seems naturally to follow. The missionary in preaching to the heathen does not deliver his own opinions: he does not speak on his own independent authority; but he tells the people whom he addresses that the doctrines he delivers are all found in a book, which he holds in his hand, and which he calls the word of God; and which he tells them it is important that they should also be able to consult. This creates in their minds a desire for school instruction, and many are soon found in the character of pupils, anxiously endeavouring to learn to read the word of that God who has been so lately made known to them. Then follows another stage of the civilizing process: the Gospel originates the moral virtues, truth, honesty, fidelity, chastity, and, denouncing polygamy, a fruitful source of evil among savage people, it maintains the sanctity of the marriage vow; and thus does it produce as its direct and proper effect the virtues which constitute, to so great an extent, the bond of civilized life. In intimate connexion with the moral virtues the Gospel brings in the humanities of life. While it enforces that the husband shall be faithful to his one wife, it enjoins also that he love her as his own flesh; and thus it raises woman from that state to which heathenism invariably depresses her. The Gospel teaches parents to love their offspring, and to regard them as immortal spirits confided to their care, and which they are under obligation to train for eternity; and the mind of the heathen being brought under the influence of this teaching, at once infanticide is abolished. The Gospel imposes on children a corresponding obligation to love and reverence their parents; and no sooner is this obligation felt by the heathen than they are seen comforting and supporting their aged parents, instead of leaving them to perish in the jungle, or be devoured by wild beasts. Then again the Gospel enjoins on all to be merciful and forgiving one to another, as they hope to be forgiven of God, and this is no sooner admitted than an end is put to violence and deeds of blood. It is in this way I trace the necessary connexion between Christianity and civilization, and perceive how the former originates the latter. It is by such an investigation I reach the conclusion, that wherever the Gospel exerts its full and legitimate influence, true civilization must follow as a natural and necessary consequence. The Committee have now my views upon the entire question, from which it will be inferred, that the conclusion which I am anxious to impress is, that you first seek to evangelize the world, and in so doing you will be sure at the same time to civilize it.

4412. Mr. *Handley*.] Then you do not understand civilization to consist merely in an abundance of the comforts and luxuries of life?—No. Instances have been referred to in the course of this examination of persons who have had literature, science and arts, as well as the comforts and enjoyments of life, and at the same time have been little better than savages, devoid of the moral virtues and of the humanities of life; and where these are not, there can be no true civilization.

4413. Do you think that there exists any nation on the face of the globe thoroughly civilized?—Not in the highest sense of the expression. Our own country may perhaps be regarded as the best specimen that can be produced of a civilized nation; but there is a very considerable portion of the population even of this country which cannot be said, in the correct sense of the expression, to be thoroughly and properly civilized.

4414. Do you think that any nation can be said to be thoroughly civilized till all its laws completely recognise the great principle of Christianity, "Do unto others as you would they should do unto you"?—The more nearly that a nation approaches to that standard, in the highest degree does it enjoy civilization.

4415. That is, in other words, that it is not civilized till that is done?—Not in the fullest sense of the term.

4416. *Chairman* to Mr. *Ellis*.] Does your experience lead you to believe that it would be advisable to begin with civilization, in order to lead the way to the introduction of Christianity, or with Christianity, in order to introduce civilization?—True civilization and Christianity are inseparable; the former has never been found but as a fruit of the latter. An inferior kind of civilization may precede Christianity and prevail without it to a limited extent; such, for instance, as

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the adoption, by comparatively rude tribes, of the dress and modes of living of more cultivated society, a taste for their arts, manufactures and comforts. All this may occur without any change of character. This kind of civilization is only superficial: it may polish and smooth the exterior of human society, but it leaves the deep foundations of crime and wretchedness, the vices of human nature, which are the causes of all barbarism in every part of the world, untouched, and consequently supplies no sufficient remedy for the evils to be removed. My experience would lead me to regard this inferior kind of civilization as a very inefficient means of promoting the improvement of the native inhabitants of different countries. The communication with members of a more advanced state of society, by which it is produced, has often occasioned the most serious impediments to the introduction of Christianity, and it certainly would not predispose men to admit the moral claims of the Christian religion. The advantages this kind of civilization offers have not proved inducements sufficiently powerful to overcome the long-confirmed habits of uncivilized nations, while their intercourse with Europeans has generally added the vices of the latter to those of the aborigines, and has increased in a fearful degree the miseries which prevailed before. I will give two illustrations of this: The one is in war. To this the natives are often incited by Europeans, from most dishonourable motives, and for the prosecution of which they are furnished with our more deadly weapons; the partial introduction of fire-arms giving such preponderating force to one party over another, has rendered their wars more bloody and destructive than they were before. Another calamitous result of the intercourse between civilized and uncivilized nations is the increase of prostitution, and the aggravated misery by which it is followed. It is followed by the native inhabitants from the dictates of depraved passion, but after intercourse with Europeans other base passions are added as inducements to the commission of this crime, the motive of avarice or the desire of European property; so that it becomes in some places a sort of traffic carried on by the chiefs, at the expense of degradation, suffering and destruction of life to their vassals. It is followed, not only by the misery and death of the unhappy victims of this effect of intercourse with men from civilized countries, but its bitter effects are suffered by their offspring. I mention these two facts as illustrative of the addition which the introduction of European vices makes to the misery and degradation of uncivilized communities. If the introduction of Christianity, therefore, be the object contemplated, that kind of civilization which results from intercourse between the natives and those who have gone among them solely for purposes of traffic or colonization is an impediment and not a means of preparing them to receive it. This view of the subject is forced upon me by my own experience during a number of years spent partly among tribes who had scarcely seen an European before, and partly among others who had been for a long time in communication with foreigners for barter and other purposes. I am not aware of a single instance in which the kind of civilization thus produced has led any tribe to desire a knowledge of Christianity, or has predisposed them to receive it. On the other hand, there are instances, satisfactory and decisive, of numbers having been brought to embrace Christianity without this previous process of civilization; I advert to those furnished in the history of the introduction of Christianity among the North American Indians by the labours of Brainerd, Elliott and others, also to the introduction of Christianity into Greenland by the Moravians, where they had not been preceded by any civilizing process, and where the most decided results have followed. It is thus clearly shown that it is neither necessary nor advantageous for civilization to precede Christianity; and it is a fact of great importance in the present inquiry that Christianity has never been introduced into any nation or tribe where civilization has not invariably followed. The process may be rapid or the reverse, according to circumstances; but in proportion as individuals receiving Christianity yield themselves to its influence, just in that proportion they must be civilized. No man can become a Christian, in the true sense of the term, however savage he may have been before, without becoming a civilized man. Christianity produces civilization of the best and most durable kind, by supplying motives and considerations which overcome the vicious propensities and habits of the uncivilized, and furnishes a safe and certain rule for its attainment. This rule is given in a form so simple as not to be above the capacity of the lowest intellect, and yet so comprehensive as to include the widest range of social obligations; "Whatsoever ye would that men should do to you do ye even so to them." In the motives it implants and the precepts it inculcates,

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Christianity furnishes a complete moral machinery for carrying forward all the great processes which lie at the root of civilization. It teaches the practice of humanity, purity of heart and life, honesty, truth, industry and justice, the promotion of peace on earth, and good will among men. It is well known that impurity and deeds of atrocious cruelty are the great deformities of uncivilized societies, and the most fruitful sources of their miseries. Christianity purifies and changes the heart, and thus most effectually removes these evils, while it makes ample provision for the cultivation of the higher affections of our nature, love to God, our benefactor, and to our fellow-creatures, urging all on the understanding and the conscience by the revelation of a future state, (with which the heathen, however far advanced in civilization, are altogether unacquainted,) and sanctions of reward or punishment according to the conduct of men in the present life. Upon that ground it is my conviction that Christianity supplies materials and machinery for promoting civilization of the highest order. I might adduce one or two examples of the correctness of these sentiments from a part of the world with which I am more familiar than any other, the South Sea Islands. If civilization be viewed as consisting in exemption from temporal wants, and the possession of means of present enjoyment, the inhabitants of these islands were placed in circumstances more favourable to civilization than perhaps any other people under Heaven. They have a salubrious climate, a fertile soil, and an abundance of all that could render the present life happy, so far as mere animal existence is concerned; but there was perhaps no portion of the human family in a state of wretchedness equal to that to which they were reduced before Christianity was introduced among them. They were accustomed to practise infanticide, probably more extensively than any other nation; they offered human sacrifices in greater numbers than I have read of their having been offered by any other nation; they were accustomed to war of the most savage and exterminating kind. Efforts were made by the missionaries for the introduction of the arts of civilization, with instruction in the truths of the Christian religion. For 15 years those efforts were altogether unsuccessful; they produced no amelioration in the morals or in the circumstances of the people. The vices which sailors took there rendered the inhabitants more wretched. When Christianity was adopted by the people, human sacrifices, infant murder and war entirely ceased; peace remained unbroken for 15 years; the language, which the missionaries had learned during the interval between their arrival and the adoption of Christianity by the people, had been reduced to a system; orthography, a grammar and dictionary had been prepared; portions of the Bible had been translated. When the natives adopted Christianity they were willing to become pupils in the school; but until Christianity supplied a motive, by producing a desire to read the Scriptures, they never had a motive sufficient to lead them to endure the restraint and confinement of the school, but they have done so since, and there are several thousands now capable of reading and writing. The entire volume of Divine Revelation has been translated; the New Testament has been printed, and is in circulation among them. Christianity condemned indolence, required industry, and supplied inducements to labour; and the natives, since they embraced Christianity, have acquired a knowledge of a number of useful manual arts. Before that the efforts of the missionaries to induce them to work in iron and in wood produced no satisfactory result; since that they have been taught to work in wood, and there are now carpenters who hire themselves out to captains of ships to work at repairs of vessels, &c., for which they receive regular wages; and there are blacksmiths that hire themselves out to captains of ships, for the purpose of preparing iron-work required in building or repairing ships. The natives have been taught not only to construct boats, but to build vessels, and there are perhaps 20, (there have been as many as 40 small vessels, of from 40 to 80 or 90 tons burthen, built by the natives,) navigated sometimes by Europeans, and manned by natives, all the fruit of the natives' own skill and industry. They have been taught to build neat and comfortable houses, and to cultivate the soil. They could not be induced to do that while heathen, for they used to say the fruit ripens and the pigs get fat while we are asleep, and that is all we want; why, therefore, should we work? But now they have new wants; a number of articles of clothing and commerce are necessary to their comfort, and they cultivate the soil to supply them. At one island, where I was once 15 months without seeing a single European excepting our own families, there were, I think, 28 ships put in for provisions last year, and all obtained the supplies they wanted. Besides cultivating potatoes and yams, and raising stock, fowls and pigs, the cultivation,

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tivation, the spinning and the weaving of the cotton has been introduced by missionary artisans; and there are some of the chiefs and a number of the people, especially in one of the islands, who are now decently clothed in garments made after the European fashion, produced from cotton grown in their own gardens, spun by their own children, and woven in the islands. One of the chiefs of the island of Rarotonga, as stated by the missionaries, never wears any other dress than that woven in the island. They have been taught also to cultivate the sugar cane which is indigenous, and to make sugar, and some of them have large plantations, employing at times 40 men. They supply the ships with this useful article, and at some of the islands between 50 and 60 vessels touch in a single year. The natives of the islands send a considerable quantity away; I understand that one station sent as much as 40 ton away last year; in November last a vessel of 90 tons burthen, built in the islands, was sent to the colony of New South Wales laden with Tahitian-grown sugar.

4417. Have they any slaves there?—Not since Christianity has been introduced; formerly captives taken in war were made slaves.

4418. Then Christianity, among other good effects, has led to the abolition of slavery among them?—They never considered the two things compatible. Besides the sugar they have been taught to cultivate, they prepare arrow-root, and they sent to England in one year, as I was informed by merchants in London, more than had been imported into this country for nearly 20 previous years. Cattle also have been introduced and preserved, chiefly by the missionaries; pigs, dogs and rats were the only animals they had before, but the missionaries have introduced cattle among them. While they continued heathen, they disregarded, nay, destroyed some of those first landed among them, but since that time they have highly prized them, and by their attention to them they are now so numerous as to enable the natives to supply ships with fresh beef at the rate of 3*d*. a pound. The islanders have also been instructed by the missionaries in the manufacture of cocoa-nut oil, of which large quantities are exported. They have been taught to cultivate tobacco, and this would have been a valuable article of commerce had not the duty in New South Wales been so high as to exclude that grown in the islands from the market. The above are some of the proofs that Christianity prepares the way for and necessarily leads to the civilization of those by whom it is adopted. There are now in operation among a people who, when the missionaries arrived, were destitute of a written language, 78 schools, which contain between 12,000 and 13,000 scholars. The Tahitians have also a simple, explicit and wholesome code of laws, as the result of their imbibing the principles of Christianity. This code of laws is printed and circulated among them, understood by all, and acknowledged by all as the supreme rule of action for all classes, in their civil and social relations. The laws have been productive of great benefits. I have before me a copy of the code of laws printed in 1835, in the islands, and a translation also. The missionaries have often been charged with being opposed to the introduction of the means for the temporal improvement of the people. I might adduce the evidence of many witnesses to show that the labours of the missionaries, while chiefly directed to the spiritual improvement of the people, have originated and promoted the civilization of the most efficient kind. But I will only quote the testimony of one, a naval officer, Captain Beechy, who visited the island in 1826, and was there several months. After mentioning a number of changes, he refers to the laws. There were several instances in which he saw their operation. In reference to their practical working, he says, "The limit thus imposed on the arbitrary power of the monarch, and the security thus afforded to the liberties and properties of the people, reflect credit upon the missionaries, who were very instrumental in introducing these laws." He speaks of another occasion where theft had been committed on the stores of his ship. The man was apprehended, and Captain Beechy requested the chiefs to give him up, that he might punish him according to their plan by flogging. The chiefs refused to comply with his request, and Captain Beechy observes, "Their laws, however, did not admit of this mode of punishment, and the matter concluded by the chiefs making themselves responsible for the stores, and directing Pa-why to acquaint the people that they had done so, promising to make further inquiry into the matter, which was never done, and the prisoners escaped, but the investigation answered our purpose equally well, as the stores afterwards remained untouched." Then, speaking of the trial at which he was present, he continues, "The consideration which the chiefs gave to the merits of this question, and the pains they took

took to elicit the truth, reflect much credit upon them. The case was a difficult one, and Hetotte not being able to make up his mind to the guilt of the prisoners, very honestly differed from his colleagues; and his conduct, while it afforded a gratifying instance of the integrity of the man, showed a proper consideration for the prisoners, which in the darker ages would have been sacrificed to the interested motive of coinciding in opinion with the majority. If we compare the fate which would have befallen the prisoners, supposing them innocent, had they been arraigned under the early form of government, with the transactions of this day, we cannot but congratulate the people on the introduction of the present penal code, and acknowledge that it is one of the greatest temporal blessings they have derived from the introduction of Christianity." Christianity, when received by an uncivilized people, not only leads to the adoption of salutary laws for preserving the peace of the community and cultivating the virtues of social life, but it secures protection to the merchant and the mariner, and the greatest facilities for the extension of commerce. Traffic can often only be carried on with uncivilized tribes at great risk, even of personal safety; but where missionaries have introduced the Gospel, our vessels go with safety and confidence. Formerly, when a wreck occurred, the natives hastened to plunder and to murder, or reserved those who escaped from the sea for sacrifices; now they succour them and protect their property. I could give many instances of this, but I content myself with one. It is contained in a letter left by Captain Chase, of the American ship Falcon, with the native teachers at Rumtu, at which island he had been wrecked.

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"The natives gave us all the assistance in their power, from the time the ship struck to the present moment. The first day, while landing the things from the ship, they were put into the hands of the natives, and carried up to the native mission house, a distance of half a mile, and not a single article of clothing was taken from any man belonging to the ship, though they had it in their power to have plundered us of everything that was landed. Since I have lived ashore, myself, officers and people have received the kindest treatment from the natives that can be imagined, for which I shall ever be thankful. Myself and officers have lived in the house of Buna (a teacher from Raiatea), who, together with his wife, has paid every attention to make us comfortable, for which I return my unfeigned thanks, being the only compensation I can make them at present."

Mr. *Elisha Bates*, called in; and Examined.

Mr. *Elisha Bates*.

4419. *Chairman.*] YOU are a member of the Society of Friends?—Yes, I am.

4420. Have you had any opportunities of forming an opinion upon the subject of whether it is advisable among savage tribes to introduce civilization, in order to open the way for Christianity, or to begin with Christianity, in order to facilitate the approach to civilization?—I think I have. The Society of Friends have been engaged for many years past in efforts for the civilization and improvement of several tribes of Indians in the United States. The yearly meeting of Ohio, to which I belong, has had for a number of years, perhaps 30 or 40, the remnant of the Shawnee tribe of Indians under their care. I am myself a member of the committee that has had charge of that concern, and have been since the year 1817, at which time I emigrated to that state. The prosecution of the labours of that committee has led me into some acquaintance with the previous measures and actions of the society. I think that the Society of Friends and the Indians of different tribes in the United States have been in some sort of connexion since the year 1681, at which time William Penn addressed a letter to the Indians of Pennsylvania, and the following year he held a treaty with some of the tribes near Philadelphia, and the result of that first communication and of the treaty has been a settled friendship and good understanding between the Friends and the Indians generally.

4421. Has that good understanding between the Society of Friends and the Indians subsisted without interruption for that period of 150 years?—It has, without any interruption that I know of, since the period I have mentioned.

4422. Were the Indians disposed, as far as you know, and have had an opportunity of observing, to rely upon the Society of Friends as their patrons and advocates?—They were. I have myself paid several visits to the Indians of the Shawnee tribes; and I have been present in the committee receiving reports from year to year expressive of the confidence of the Indians in the Society of Friends; their expressions have been uniformly warm; I might say with almost unlimited confidence. The plan which the Society of Friends adopted in their early intercourse with the Indians was to attempt civilization first. The religious communi-

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nications, so far as I am informed, and I have made it a subject of some investigation, were those of a very general character, recognising the being of a God, and the accountability of man, but not with special reference to the peculiar doctrines of the Christian religion. An idea seemed to have been formed that civilization was to make way for the introduction of the doctrines of the Christian religion. The establishment to which I have had my attention more particularly directed was in the western part of the state of Ohio. At this place there has been during the last 20 or 30 years (the precise time I cannot give) a family maintained by the Society of Friends among the Indians, having steadily in view their improvement in civilization. In the year 1832 the Indians, having sold their reservation in the state of Ohio, removed to a location on the west of the Mississippi. About the time of their leaving that reservation, a delegation of the committee to which I have referred visited them; they were then in a state of some improvement in civilized life; they had made some advances in agricultural pursuits, and in an improved mode of living; and in a council which they held, they expressed, in warm terms, their gratitude to the Society of Friends, and earnestly requested that we would continue our attention to them; in their peculiar phraseology, that "we would hold them by the hand, and not let them go;" that is, continue our attention and kindness to them beyond the Mississippi. To this location we have concluded to follow them; but within the last few years we have had occasion to review the whole course of proceedings, and we have come to the conclusion, from a deliberate view of the past, that we erred, sorrowfully erred, in the plan which was originally adopted, in making civilization the first object; for we cannot count on a single individual that we have brought to the full adoption of Christianity.

4423. Mr. *Gladstone.*] You say you have failed in bringing them to the full adoption of Christianity through the medium of that inculcation in the first instance of the general doctrines of Theism; have you succeeded in bringing them to fixed habits of civilization through that medium?—There has been an improvement, but we could not say to complete habits of civilization.

4424. You do not consider the result satisfactory in respect of civilization, though it was not altogether insignificant?—It was not altogether abortive; there has been an improvement, but not satisfactory by any means.

4425. *Chairman.*] You have stated that you cannot reckon amongst the persons with whom you have thus been associated any instance in which they have fully adopted Christian views?—I would be understood to speak with reference to our labours particularly; I believe that some Methodist missionaries have held intercourse with some of those persons, and a few (at least one I have heard of particularly, and my impression is a small number) had embraced the doctrines of the Methodist society.

4426. But perhaps they had not been employed the same length of time amongst them that your society has?—Certainly not. I cannot state precisely the time of the commencement of their missionary labours, with them but I think it is quite of recent date*.

4427. Then the experiment has been tried, in the case to which you have alluded, under what appeared to be very great advantages. You have incurred willingly considerable expense in endeavouring to instruct those natives?—Very considerable expense.

4428. You have incurred a still greater amount of labour and exertion in looking after them; and there has been nothing like a spirit of hostility amongst them, but the greatest possible confidence on their part in your proceedings?—That has been the case unequivocally.

4429. And notwithstanding all those advantages, it does not appear to you that the object you had in view has been accomplished?—It certainly has not; although I should wish it borne in mind that there has been an improvement in their habits in respect to civilized life.

4430. Do your society now regret that they did not begin with Christianity, in order to lead the way to other advantages; and if you had to recommence the same undertaking, would you now begin with Christianity?—Decidedly we should.

4431. And

* The missionary labours of the Methodists with this particular tribe have been merely incidental; they have had no regular intercourse with them. But there are tribes with which they have had a close connexion, and in which I understand they have made a considerable number of converts.

4431. And that in consequence of the experience you have had?—Yes, and a full conviction that the experiment has failed; and the plan now adopted is to make Christian instruction the primary object.

4432. Though your intercourse personally has been alone with the Shawnees, has your society had communication with any other tribes of the natives?—Several of our yearly meetings have had intercourse with some other tribes. The yearly meeting of Philadelphia and that of New England have both had intercourse with other tribes. I must be much more limited in my remarks in regard to them, but I believe the same general result will be found to have marked the proceedings of the society with them.

4433. Mr. *Gladstone.*] You have said you did not succeed in bringing any individual to the full adoption of Christianity. Can you say that by teaching these two doctrines of the existence and unity of God and of a future state, with accountability, you produced anything like an impression of religion on the mind of any individual? Did you bring them to a habit of prayer, or to the relinquishment of gross vice?—I do not know that I could say that we have brought them to a habit of prayer; I know of no instance that would warrant my saying so. There has been an unceasing effort on the part of our superintendent (as he is called) at the Indian establishment to improve their moral habits. Great efforts have been made to prevent intemperance, and there has been some abatement of the habit of intemperance; but how far it could be ascertained to rest upon religious principle I am unable to say.

4434. What are the vices to which those Indians in their original state were most addicted?—I do not know that I can answer that question, because the intercourse has been so long with the Indians with which I am most acquainted, that I could not give an answer as to their original state.

4435. In respect to bloodthirstiness, which is supposed to be characteristic of the North American Indians; has there been an improvement in that respect?—This tribe has latterly been remarkably pacific and mild in its character, although I have understood that there was a disposition to bloodthirstiness among them in times of excitement, from the use of ardent spirits, and some murders have been committed.

4436. But you are not aware that antecedent to the date of your intercourse with them they were a bloodthirsty tribe in their general habits?—In recurring to opinions that prevailed when I was in early life, I recollect hearing that tribe spoken of as having been very terrible to the white settlers, and my parents have spoken of them as being peculiarly terrible to the frontier settlements. They were a warlike and formidable tribe.

4437. Then that leads to the inference that a certain softening of character has taken place?—I should conclude so; how far it may have arisen from the destruction of their power, would be another question. They have been completely humbled and broken as an independent nation.

4438. And it is also a question how far that softening has been produced by self-interest, or by means of religious principle?—Yes; it is a question I should not be able to answer.

4439. Upon the whole, has the result of your experience been to impress upon your mind a belief that it is in vain to hope to inculcate Christianity successfully under the form of those general and elementary doctrines?—It is decidedly my opinion.

4440. Mr. *Holland.*] Do your superintendents live amongst them?—Yes, they have done so, say for the last 25 years.

4441. You said that the superintendents did their best to prevent drunkenness from existing amongst them. What inducements did they hold out to them to keep sober, if they left out entirely any specific ideas of religion?—I would not say that there were no motives of a religious character held out to them by a reference to a Supreme Being and the accountability of man; but the immediate effects of those habits of intemperance have been impressed upon them as increasing their wretchedness and the evils to which they are exposed. The particular mode of treating those subjects of course would be very much according to the views of the individual at the moment who might converse with them. I am not in full possession of the various arguments they might have used at different times. I have not been so conversant with the establishment as to understand the precise mode in which that subject was treated.

4442. *Chairman.*] Did your superintendent instruct them in agriculture?—He

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He did. They have made some improvements in agriculture and in habits of industry.

4443. Are you able to inform the Committee as to whether there has been an increase or a decrease of the population of this tribe, owing to their intercourse with white men?—My impression is, that till within the last 20 years there has been a very great decrease, and that during the latter period they have been nearly stationary.

4444. Had you ever at any time any communication from them which led you to believe that they considered that their numbers had been much larger in former times than at the present moment?—Yes; that is certainly the general course of their remarks touching their former condition.

4445. You say they are removed now to another location. Did they, about the period of their removal, state to you the hardship of their case; that their ancestors had possessed the whole territory, and that they had been driven out by degrees by persons of European extraction?—Yes; a little subsequent to the last treaty which the Shawnees entered into with our government they became dissatisfied. They supposed that they had not understood the provisions of the treaty when they entered into it, and became very much dissatisfied; and our friends, who had the care of them, encouraged them to present their grievances to the government. They appointed a delegation of four chiefs, and two of our friends of the committee agreed to bear them company. On their way they concluded to visit the town where I live, for the purpose of seeing their friends there. The evening before they proceeded on their journey I was with them; and after making some observations, by way of advice, as to their general course of procedure at Washington, and also as to their future improvement on their new location, their chief made a reply, in which he explained their motives in making a sale of their property, from the apprehension they had that they would be brought under the operation of the laws of the state, which, with the disadvantages under which they would labour, they thought they would not be able to endure. And from these considerations they were induced to sell their land, though with much reluctance. He then alluded to the motives which influenced them in making that visit, turning a little out of the road, as affording them the last opportunity they would have of seeing their friends at Mount Pleasant, and expressed in lively terms their sense of the kindness they had received; and then recurring to their wrongs, he said, "When the white people came across the great waters, all this fine country was ours. Now we have not so much land left as to set our foot upon. We are going to Washington to see our father, the president. We hope he will have mercy upon us. We believe the Great Spirit will have mercy upon us, and we hope, if he has mercy upon us, our father, the president, will have." He was a full-blood Indian, who could not speak the English language at all, but spoke through an interpreter. The result of that visit was, that when their case was made known to the members of the National Legislature, there was a very warm interest excited in their favour, and a Bill was introduced into Congress, and passed, giving them about 30,000 dollars, in addition to the stipulations of the former treaty, together with paying the expenses of the visit to Washington, and some other things.

4446. Mr. *Gladstone.*] If you compare the prices paid to the Indians for the lands which they surrendered with the prices received by the government of the United States from settlers for those lands sold in portions, the difference would be enormous, would it not?—Very great.

4447. The revenue derived from the sale of those lands in the United States at present is immense, is it not?—It is a very large revenue. The sale of the reservation to which I allude would probably now, after the additional compensation has been rendered, make a nearer approach to what would be considered a fair value for their lands than most other sales which have been effected.

4448. How long is it since the change of opinion took place in the parties who have the superintendence of the Indians, as to the proper mode of imparting religious instruction to them, and since you came to the conclusion that the course previously pursued had been erroneous?—I think it might be said to have been adopted by the committee about eight years ago. Individuals of the committee have long entertained the opinion; I for one have long thought that we have erred; but the committee unanimously adopted this conclusion about eight years ago.

4449. You say that you personally have long entertained that opinion; have you

you always entertained it, or did you once think that instruction might be conveyed to them sufficiently in that way, or that that was the best way of commencing?—When I first became acquainted with the Indian affairs, 19 years ago, the plan was then settled, and I entered into it as such; and as far as I can now recollect, I adopted the sentiment without much examination, and continued to hold it for a few years; but I became gradually convinced that it was an erroneous method.

4450. In pursuance of the resolution of the committee, which was taken about eight years ago, has there been a corresponding change in the course of conduct they have followed?—The altered plan, of making Christian instruction the primary object, has not yet been carried into effect, in consequence of peculiar circumstances and difficulties, which will perhaps hardly be understood by the Committee without making some allusions to facts which may perhaps appear extraneous. The Society of Friends in America has been involved in many serious difficulties of its own, of a doctrinal character. These very difficulties have had the effect of bringing our minds more directly to this great question of inculcating first the simple doctrines of the Christian religion; but at the same time they have paralysed its efforts, and in some of its results crippled its operations. There was a fund which we had for Indian civilization, of from 7,000 to 10,000 dollars, which sustained us in our measures. This happened to be in the hands of trustees, who in the late division of the society in America united with that portion called the Hicksites; and they held the funds, which have never been recovered; consequently the measures of the society were very much embarrassed. Immediately after the division of the society, the condition of the Indians became unsettled by the policy of the government to purchase the reservation, consequently the new plan could not be carried into effect till they should be located on the west of the Mississippi. They emigrated there in 1832, a distance of nearly 1,000 miles from Mount Pleasant. And these peculiar difficulties, from their new situation, and the embarrassment of the funds altogether, have produced some delay in carrying our plan into operation, but it is now about to be carried into effect. It is to make Christian instruction the primary object, without abandoning in any degree the efforts for civilization.

4451. Does the superintending committee consist of gentlemen holding the doctrines that are generally called orthodox?—Yes.

4452. You have no experience of the results to communicate to the Committee?—No. We are about putting up buildings on the Indian reservation; we have put up several, intending to establish a school, in which the Indian children of both sexes are to be boarded, clothed and instructed. We also intend to support individuals there for the purpose of instructing them in agriculture and other pursuits, and for giving Christian instruction to the older Indians, in the best way that we may be able to devise.

4453. Have you succeeded in recovering the funds?—No, we have not.

4454. *Chairman.*] In the settlement which they have now left had they adopted a system of agriculture, and had they by that means acquired any considerable amount of property?—Some of them had. They have always been averse to drawing lines through their land. They have never agreed to it, although it was an object of some solicitude with us. But a number of them have settled according to their own choice, and opened fields, bringing them into cultivation, and having the uncultivated lands in common. They have improved in their mode of constructing their houses, and in their manner of living. Some few of them have acquired personal property to the amount of from one to two thousand dollars.

4455. Did you find them docile and disposed to meet the wishes of those friends to whom they owed such great obligations?—Always, expressing great regard for their advice; though in respect to the division of land they maintained their own views, which they were not willing to abandon. They have always maintained their own system of government, and have been very tenacious of their national character.

4456. Were crimes frequent among them?—I think not, so far as I am able to answer the question. I have heard of but few.

4457. So far as you have had an opportunity of observing the character of those Indians, do you think that if a civilized country, upon a large scale, were to endeavour to act towards savages of the same description with perfect justice and with entire humanity, it would be possible in process of time to bring them

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into a civilized condition?—It is my persuasion that it would be practicable. But my opinion is, that Christian instruction must be a primary object.

4458. Supposing Christian instruction were made a primary object, and that in addition to those efforts that you have made to encourage agriculture, in addition to the justice and kindness which they have experienced at your hands, Christian instruction were made a leading and prominent object, do you think that then we might fairly indulge the hope that they would be brought into a state of civilization and Christianity?—I do.

4459. Are you capable of stating any particulars as to the proceedings of William Penn, and the measures which he adopted in order to prevent the Indians from being defrauded or injured?—I am not in possession of any information upon that subject, further than what is contained in the published history of his life. From that it appears, that in the commencement of his intercourse with the Indians he determined to adopt a system of appointing commissioners, I think on both sides, who should be judges in cases of injuries on either side. His words are, " And if anything shall offend you or your people, you shall have a full and speedy satisfaction for the same by an equal number of just men on both sides, that by no means you may have just occasion of being offended against them."—*Penn's Works*, folio, vol. 1, p. 122. In looking, however, to the results of the intercourse with the Indians, we find that whether a system of friendly intercourse and fair bargain and sale, or of violence and war, was pursued, one uniform result has been produced—of the passing of their lands into the hands of the white people. It is certainly an important feature in the history of the United States, that the ordinary mode of defence and of warfare, originally, as it would seem, on the ground of defence on the part of the colonists, was continually succeeded by Indian wars, and those of a very afflictive character. The policy which William Penn pursued was marked with equal uniformity with the course of peace and of friendly understanding always maintained with the natives. But it has appeared to me, that in considering the intercourse of civilized with uncivilized nations, it is an object of great importance to devise some plan by which the natives may not be displaced from their country.

4460. Has any plan to that effect occurred to you in any way, or can you offer the Committee any suggestion which would protect the rights of those people, and preserve to them their original lands?—It is scarcely necessary for me to say to this Committee that it is a subject involved in much difficulty. But I believe that a knowledge of the Christian religion is one of the first steps in reference to that object; for until they are made acquainted with the relation in which they stand to the Creator and to their fellow-creatures, it is not likely that they will be enabled to maintain a proper relation to those around them. I think, in addition to this, that while they are in a progressive state of improvement it is much to be desired that the government, having intercourse with them, should lay restrictions on the acquisition of territory. And I have thought it possible that some plan might be adopted by which sections of territory (intermixed) might be obtained by Europeans, without at all unsettling the natives from those spots on which they might be disposed to locate themselves, and attempt improvements in the way of civilized life. It has always appeared to me, since I have had an opportunity of becoming acquainted with Indian affairs, that to unsettle them where they have entered into a course of improvement had the most unhappy effect in throwing them back, under many disadvantages, into their former rude habits. To secure to them permanently the locations on which those improvements are beginning to be made would have a very salutary effect, while I have thought that sections intermixed with those reserves might possibly be possessed by Europeans; and thus mutual advantages, under suitable restraint, might be enjoyed both by the adventurers and by the aborigines. I am not prepared to offer any suggestions in detail, but I am strongly impressed with the opinion, that so long as restraints are not laid upon the acquisition of territory, so long the wrongs inflicted upon the aborigines of those different places must be continued.

4461. Do the tribes with which William Penn entered into treaties still survive, or mere remnants of them?—Some of them at least are extinct; I cannot speak decidedly with reference to all.

4462. Are you acquainted with the nature of the tribes to which Elliot the missionary went?—I am not acquainted with his labours.

4463. You do not know whether those tribes are or are not extinct?—No.

4464. Do

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4464. Do you think, as a general principle, that as in intercourse with savages we must necessarily bring with us some of our diseases and some of our evil habits, and as the effect has uniformly been to deprive them of their territory in a great measure, that it is incumbent upon a civilized and Christian country at all events to make this reparation for those inevitable evils, that efforts shall be made, through the medium and instrumentality of the Government, for the religious and moral instruction of the people?—I do undoubtedly think it is a debt that we owe them.

4465. Adverting to the extent of the intercourse which the Friends have had with the Indians, the length of time it has continued, and the good understanding with which it has been conducted on both sides, do you conceive that it is possible to maintain intercourse between civilized and savage nations, without the white persons resorting to force, and taking possession of their territories by force or by fraud?—I do.

4466. You think then that such a system might be devised as would, while it protected the rights of the aborigines, and conferred some of the benefits of religion and civilization upon them, still, on the other hand, confer advantages upon the white persons?—I do.

4467. Do you believe that upon the whole, as it would be a more humane and more equitable, so it would be a more politic system of dealing with the natives?—I do.

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*Mercurii*, 15° *die Junii*, 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Andrew Johnston. |
| Mr. Bagshaw. | Mr. Wilson. |
| Mr. Baines. | Mr. William Gladstone. |
| Sir Rufane Donkin. | Mr. Charles Lushington. |

MR. FOWELL BUXTON, IN THE CHAIR.

The Rev. *John Philip*, D. D., called in; and Examined.

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4468. *Chairman.*] YOU are the Superintendent of the London Missionary Society's Mission in South Africa?—I am.

4469. How long have you been in South Africa?—About 17 years.

4470. Have you had any opportunities of becoming acquainted with the character and condition of the aborigines of South Africa, and with the treatment which they have experienced from the Europeans?—I have had many opportunities of becoming acquainted with that subject.

4471. Have you been in Caffreland?—I have.

4472. Have you directed your attention to the circumstances connected with the recent Caffre war?—I have.

4473. Have you any communications to make to the Committee upon this subject?—I have. I anticipated that I should have an opportunity of making a brief narrative, and I have drawn up one accordingly, which, with the leave of the Committee, I will read. I arrived at the Cape of Good Hope in 1819, when the colony was engaged in a war with the Caffres, and when our relations with them was an all-absorbing subject among the colonists. In the month of May I left Cape Town, with the view to visit the eastern frontier of the colony; and the interest excited by the first intelligence I received of the war was greatly increased by my visit to Theapolis, Graham's Town, and other parts of the frontier, that still bore the marks of the Caffre invasion. From the opportunity afforded me on that journey of observing the character and condition of the Caffres, and the early connexion of the London Missionary Society with Caffraria, I felt a deep interest in the history of that people; but it was not until 1832 that I had formed any decided opinion with regard to the relations subsisting between them and the colony. Immediately after the death of Mr. Williams, the colonial government determined that no missionary in the service of the London Missionary Society, should be allowed to settle in Caffreland; and in consequence of this exclusion, together with other circumstances, from 1819 to 1832 I was chiefly occupied with the state of the Hottentots within the colony, and that of the

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Griquas on the northern frontier. In 1830 I visited the settlement at the Kat River, in company with Mr. Fairburn, and made a tour in Caffreland, taking in my way, besides our own missionary station, several of those which belonged to the Glasgow Missionary Society and to the Wesleyan. From the circumstances which came under my observation at that time, I began to take a deeper interest in Caffre affairs; but I did not even then consider myself sufficiently acquainted with the point in debate between the Caffres and the colony to enable me to speak confidently on the subject. Since that period I have had a great deal of communication with the missionaries of our own society, and with some of those connected with the Glasgow Missionary Society. I have had opportunities of reading their journals, of hearing their opinions, and of comparing their statements with the facts which have come under my own observation on my visit to Caffreland, and in my conversations with the Caffre chiefs. I had previously had communications with the government respecting the northern frontier; but I had not written anything upon the affairs of the eastern frontier of the colony till the arrival of the present governor, Sir Benjamin D'Urban, when, at his request, I drew up a document on the nature and effects of the commando and patrol systems, with which his excellency was pleased to express himself satisfied; but he also expressed a wish for some further information, and at his request I wrote to Mr. Read, at the Kat River, requesting him to visit the Caffre chiefs, for the purpose of obtaining information on certain points upon which his excellency wished to be informed; and the answers to the governor's queries which I received from Mr. Read were communicated to his excellency.

Shortly after I had put into the hands of the governor the letter of Mr. Read, his excellency asked me if I had formed any estimate of the probable expense of the system recommended; I said, about 3,000 *l.* per annum. The governor remarked, that Mr. Stanley had given him liberty to expend only 600 *l.* (if I am not mistaken); my reply was, that 600 *l.* would be sufficient to begin the experiment, and that if the system worked as I expected it would, the home government would be very ready to supply all that might be required for its completion. At the next interview which I had with his excellency he remarked, "I have resolved to carry the whole of the system you have recommended into effect." My reply was, "Does your excellency mean to intimate by this that you are to consider me responsible for the workings of the system?" He smiled, and seemed to intimate by his manner that it was so. My remark was, that the whole efficiency of the system would depend upon the agency employed; and that without a suitable agency the best systems that can be devised are not worth the paper on which they may be written. He then replied, "Name." I then felt the difficulty of my situation, and requested some time to consider the matter. Next day I waited upon the governor with two letters from two of our missionaries, speaking very highly of Mr. Hudson, the magistrate of Uitenhage, in which letters the greatest regret was expressed for his removal, which was occasioned by some new regulations. I showed Sir Benjamin the letters in question; I told him that I had never seen Mr. Hudson, and knew him by character only; but from the character given of him I considered him the fittest person who could at that time be appointed to conduct the business, and I suggested that he should have the appointment of the subordinate agents necessary for carrying the plan into effect. Mr. Hudson was then at Port Elizabeth; the governor sent for him to Cape Town on public business, without at that time naming what the business was. On his arrival at Cape Town he had the governor's plan submitted to him, and after having agreed to accept of the office proposed to him he returned to Port Elizabeth to await the arrival of the governor on the frontier, when the new system was to be introduced. Shortly after the last conversation the governor introduced the subject of his journey to the frontier; I remarked that I usually went into the interior once in two years; that this was the second year since I made the tour of the missionary stations; and that if I could be of any service to him I should be happy to go to the frontier and collect any additional information he might require, if he would inform me beforehand of the time he intended to take his journey. Some time about the end of July he told me he would certainly leave Cape Town in the beginning of September, and consequently I left on the 13th August 1834, and arrived at the Kat River settlement early in September. During the preceding months of March and April we had been hearing that the Caffres were very much discontented, and that they were becoming very troublesome. During the month of May things appeared to get worse. The upper part

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part of Albany was represented as filled with Caffres. It was stated that the atrocities committed within the colony by the Caffres were unparalleled; that they were seizing the cattle of the colonists in open day; that no boor would allow his cattle to go to the field to graze without their being attended by armed herdsmen and an armed man on horseback; that the boors were beginning to regard the British Government with feelings of disaffection and contempt for not protecting them, and that unless the government offered them speedy protection they would take the matter into their own hands and go into Caffreland for the purpose of making reprisals upon the Caffres; that if matters should come to that, the consequences would be dreadful; that the whole of the troops on the eastern frontier, if increased to many times the number then employed, would be insufficient for the defence of that part of the country against the Caffres. At a subsequent period we were given to understand that the lower part of Albany, from the Konap to the sea, was also greatly infested by the Caffres, and that the inhabitants were suffering more from their depredations than they had done for years before.

In passing through Albany and the neutral territory in the end of August or the beginning of September, the scenes where their depredations were said to have taken place, I made particular inquiry after the boors and settlers who could not send their cattle and herds without sending armed men to defend them; and I endeavoured to ascertain where the hordes of Caffres were, said to be within the colony harassing the military, and in spite of them committing unparalleled outrages; but I met with none who had either seen or heard of such things. Herds of cattle and horses were seen wandering in different directions, some of them attended by herdsmen without any arms, and others of these herds without any one appearing to look after them. Everything within the colony wore the aspect of peace; and the principal things which seemed to occupy the people's minds were the emigration of the boors beyond the frontier, and the expectation that when the governor came to the frontier he would grant them new farms beyond the limits of the colony. We heard in every direction that the patrols had been very active; and on approaching the Caffre frontier the first thing which struck my travelling companions and myself was a patrol coming out of Caffreland. During the two weeks I spent at the Kat River I was constantly hearing of patrols driving the Caffres over the Chumie, burning their huts and going into Caffreland to bring out cattle said to have been stolen. Having remained at Kat River about a fortnight, I went into Caffreland, accompanied by Captain Bradford, J. H. Tredgold, esq. and the Rev. Mr. Read. We spent about a fortnight in the Caffre country, and in every part that we visited we found the Caffres in a state of continual alarm; and we seldom met a few of them together but one or the other of them had to tell us how they had been ruined by the patrols. It was truly heartrending to listen to their complaints, and the complaints of the men were almost forgotten in the distress of the women and children, who were literally perishing, being stricken through for want of the fruits of the field and the milk that had been the means of their support, their cows having been carried away by the patrols.

Having visited the missionary stations of Lovedale, Burn's-hill and the Buffalo River, I returned by way of Knap's-hill, the missionary station of the Rev. Mr. Kaysor, which was on Macomo's ground and near his kraal. There we met with several of the Caffre chiefs who had been invited to meet me there; namely, Macomo, Botman, Kama and Tzatzo. We had a public meeting, which occupied the greater part of a day, and at which there was much speaking. My sole object on that occasion was to procure any additional information for the governor which I could obtain. I stated to them that I had come among them as their friend; I neither was in fact, nor appeared to them to be, in any other character. Had I even said that I was sent by the governor to assure them of his benevolent intentions towards them, I do not see how they could have attached any credit to my declarations while they saw the patrol system going on with as much violence as ever; and at the moment I was speaking to them of peace they could point me to their huts and kraals set on fire by the patrols. Had the governor meant it to be understood that I was among them as his negotiator, the first thing to have done on such an occasion would have been to have put a stop to hostilities while the negotiation continued; but this was so far from being the case, that during the whole time I was on the frontier the system was carried on with increasing ardour. In reply to the remarks which the chiefs made about their

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their sufferings, I stated that I hoped the governor would soon be on the frontier, and that I had reason to think he was a just man, and would redress any real grievances of which they might have to complain. I told them at the same time that they must not expect anything more than was reasonable from his excellency; that he was obliged to protect the colonists from any depredations that might be committed on them by the Caffres, and that any future plan that might be proposed to the chiefs by the governor would necessarily embrace the restoration of cattle stolen from the colonists by the Caffres, and other things of a similar nature.

I found the Caffres reasonable, and I had not the least doubt that had the governor gone to the frontier at the time I was there, they would have embraced the plan he had to propose for the peaceable settlement of the frontier affairs with transports of joy. Having stated rather strongly the necessity the chiefs would be under of preventing all stealing from the colony, as the condition of any peaceable relations the governor might enter into with them, Botman made the following reply: "The governor cannot be so unreasonable as to make our existence as a nation depend upon a circumstance which is beyond the reach of human power. Is it in the power of any governor to prevent his people stealing from each other? have you not within the colony magistrates, policemen, prisons, whipping-posts and gibbets; and do you not perceive that in spite of all these means to make your people honest, that your prisons continue full, and that you have constant employment for your magistrates, policemen and hangmen, without being able to keep down your colonial thieves and cheats? A thief is a wolf; he belongs to no society, and yet is the pest and bane of all societies. You have your thieves, and we have thieves among us; but we cannot, as chiefs, extirpate the thieves of Caffreland, more than we can extirpate the wolves, or you can extirpate the thieves of the colony. There is, however, this difference between us: we discountenance thieves in Caffreland, and prevent, as far as possible, our people stealing from the colony; but you countenance the robbery of your people upon the Caffres, by the sanction you give to the injustice of the patrol system. Our people have stolen your cattle, but you have by the manner by which you have refunded your loss punished the innocent; and after having taken our country from us, without even a shadow of justice, and shut us up to starvation, you threaten us with destruction for the thefts of those to whom you left no choice but to steal or die by famine."

My last interview with the chiefs took place in the beginning of October 1834. After this interview I returned to the Kat River, where I waited, expecting daily the arrival of the governor. Finding that he delayed his proposed journey, and that I had no certainty as to the time of his arrival on the frontier, I drew up a document, communicating additional information, and at the same time laying before Sir Benjamin the principle on which it was necessary to base the system of international law proposed to be introduced. Finding that I could not wait longer for his excellency on the frontier, I wrote a letter to him, in which I stated that circumstance, assigning my reasons for leaving Caffreland at that period; and as he was daily expected in Graham's Town, the above document, with the letter in question, I forwarded to Graham's Town, to be put into the hands of his excellency on his arrival there, that he might see them before he went into Caffreland.

I then left Kat River on the 4th of November, by way of the Mankassana and Gaya. On a ridge which separates these two districts I met several parties of Caffres. Goobie, a Caffre, who had been imprisoned and flogged at Graham's Town by order of the civil magistrate, had returned to that neighbourhood; and one of the first questions asked me was, what right the English government had to punish the subject of a Caffre chief? I was assured by the people then around me that it was the first example of a Caffre ever having been flogged; that the man could never again lift up his head in society; that it would have been better had he been shot dead; and that when the governor should arrive among them, he would hear of it from every tongue in Caffreland as one of the greatest indignities that could have been offered to their nation. I said everything in my power to soothe them; but no people can have a keener sense of injustice in cases where they themselves are the sufferers, or can be more alive to what they deem national affronts, than the Caffres are; and I found that any argument I used to quiet their minds tended only to increase the excitement to which this circumstance had given rise. Some of the Caffres asserted that the man was arrested

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arrested on what was till then considered Caffre territory; but this is a circumstance of small consequence; he was the subject of a Caffre prince, and he had only lifted his hand to protect his hut, and his wife and child, who were in it.

Leaving the Makazana I proceeded along the western edge of the Chumie basin, and during a ride of perhaps 20 miles, I did not find a single Caffre kraal or hut which had not been burnt or otherwise destroyed by the military. Immediately above Fort Willshire, and below the junction of the Chumie and Keiskamma Rivers, I saw with my own eyes the kraals and huts of the Caffres burning. This was on ground that was of use to no one. It was on the boundary of the neutral ground, (within the territory which goes by that name), and at a great distance from any colonists. The people were sitting in small groups looking at their burning habitations. Being asked why they did not go over the river, they said there was no grass on the other side, and that they might as well perish by the patrols as by famine; they added, that the patrols who fired their kraals and huts had informed them that the next day every one of them was to be driven over the river at the point of the bayonet.

On the 5th of November, the day after I left Kat River, I halted near Kat River. I halted near Fort Willshire about mid-day. Macomo hearing that I was there, came to the place, accompanied with about 20 of his men. They remained with me about two hours. On his way he called at Fort Willshire, where he was reminded of a demand which had been made upon him a short time before by Colonel Somerset for 480 head of cattle, said to be due to the colony. The chief stated in reply to that demand, that there were no colonial cattle among his people; that he had always been ready whenever cattle had been stolen from the colony, and reported to him, to recover them; that in the course of a year he had sent back a great number he had recaptured from Caffres that did not belong to them. Colonel Somerset had still urged that the 480 head of cattle were to be demanded, adding, that he had orders from the governor to make this demand, but the governor was not willing to use force till he knew whether Macomo would comply with the demand or not; to this the chief replied that he could only repeat what he had before said, that he had done everything in his power to recover cattle said to have been stolen from the colony; that he would be answerable for his own people, but that he could not be answerable for cattle stolen by vagabond Caffres in the bushes. Having giving this reply, and being conscious that he had done everything in his power, and seeing no end to the demands made upon him, he received this last demand as a proof that his ruin was resolved upon, for he had just been told at Fort Willshire that a commando was about to enter his country to take the 480 head of cattle, and this threat seemed to add greatly to his distress. The chief then entered upon a further detail of his grievances, and declared that it was impossible for human nature to endure what he had to suffer from the patrol system. I reasoned with him, and did all in my power to impress upon his mind the importance of maintaining peace with the colony. I stated again that I had reason to believe that the governor, when he came to the frontier, would listen to all his grievances, and treat him with justice and generosity. "These promises," he replied, "we have had for the last 15 years;" and, pointing to the huts then burning, he added, "Things are becoming worse: these huts were set on fire last night, and we were told that to-morrow the patrol is to scour the whole district and drive every Caffre from the west side of the Chumie and Keiskamma at the point of the bayonet." He asked to what extent endurance was to be carried, and my reply was, "If they drive away your people at the point of the bayonet, advise them to go over the Keiskamma peaceably; if they come and take away cattle, suffer them to do it without resistance; if they burn your huts, allow them to do so; if they shoot your men, bear it till the governor come, and then represent your grievances to him, and I am convinced you will have no occasion to repent of having followed my advice." He was deeply affected, and the last words he said to me were (grasping my hand), "I will try what I can do."

On reaching Graham's Town, and finding that his excellency had not arrived there, I took the documents that I had forwarded to that place with me, in expectation of meeting the governor on the road. On reaching Port Elizabeth, it was surmised that he was coming by sea, and might then be actually on the water. Finding no vessel at Algoa Bay ready to sail for Cape Town, I resolved to return by land; but previous to my departure from Port Elizabeth I put my papers into the hand of Mr. Hudson, requesting him to deliver them to his

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excellency on his arrival at Port Elizabeth. On my arrival at Cape Town, the 25th of December 1834, the governor was still there. A few days after the news of the breaking out of the war reached us. I immediately waited upon his excellency at the government house, and after some conversation on the subject of the war, I told him if it were agreeable to him I would write a circular to our missionary institutions, calling upon the Hottentots to come forward and offer their services to aid the government in repelling the Caffres. The proposal met the governor's approbation, and in the evening of the same day I sent him copies of the circular, open for his inspection, addressed to the Rev. Messrs. Helm, Anderson, Melville, Kitchingman, Barker, Munro and Read. These circulars were forwarded by the governor to the missionaries, and the whole of the Hottentots on our institutions able to bear arms immediately and readily volunteered their services, and were in a short time on their march to Graham's Town.

Having now brought this communication down to the commencement of the war, I shall not attempt any narrative of its progress and termination; but I beg, with permission of the Committee, to state, in few words, my deliberate conviction as to the causes of that unhappy event. To account for the late Caffre invasion we must go back to the first history of our connexion with that nation, from its commencement to the crisis of December 1834, and then we shall find that in the series of wrongs and aggressions which the Caffres have had to endure for these many years there has been enough to drive any people to desperation. A sense of injuries is often long retained by individuals and nations, and the memory of such as are of a national character is handed down from generation to generation, and the men of one age will often take up the quarrels of the men of preceding ages, as they happen to be moved by the recollection of wrongs to be revenged or of losses to be recovered, or perhaps both. If we change our conduct towards the Caffres, they may forget their wrongs, but rights are never forgotten, nor are they longer left in abeyance than till the injured party acquire the power of asserting them. The government has been often warned of the crisis likely to be speedily brought on by the continuance of the commando system; of this the following passage from the South African Commercial Advertiser, of the 18th January 1834, is an instance:

But what will require the immediate exercise of the best principles and the highest abilities, is the formation of a just, humane and honourable scheme of intercourse with the native tribes beyond the frontier. There is at present no system, or one that is good for nothing, and a cloud is gathering in that quarter, which, but for the speedy intervention of wisdom and prudence will certainly descend in a shower of blood. On this point, above all others, we beg to assure him (the governor) he must rely upon the resources of his own understanding and heart. The barbarians, or savages, as we are pleased to style them, understand the merits of a simple case as well as the most refined, and in most, if not all, our disputes with them from the beginning they would find it no difficult matter, before any impartial world, to obtain a verdict against us. As it is, a sense of injustice rankles in their minds, and the harshness with which unjustifiable orders have recently been executed has either reduced them to despair or exasperated them to schemes of revenge. The haughtiness of the chief has been aggravated by the petulance of the subordinate, and rendered intolerable by the brutality of the soldier. We refer particularly to the case of the Caffre chief Macomo. In treating with such a man, we have nothing to do with his being black, or living chiefly on milk, or wrapping himself in an ox's hide. He is a man of ability and sound sense, and the undoubted legitimate prince of a nation. As such he should be met and spoken with by the governor of the colony, or his proper representatives, on a footing of equality. Our superiority should be shown in superior gentleness and liberality, qualities which never fail to make a favourable and due impression on the minds of men in his unfortunate circumstances, and to which we have occasion to know the chief's heart is peculiarly open. He has just been stripped of the last shred of his territory to which the wily interpretation of a most questionable verbal agreement gave the colonial government the slightest shadow of a claim. His excellency will, no doubt, inquire into the grounds alleged for his sudden and summary expulsion, while his corn was in the blade, and his cattle dependent on the grass, and see whether the covetousness of individuals had not more to do with this act than a pure zeal for the public service. But we forbear at present from entering into detail. From the spirit of the times, and the character of the present government, we feel inclined to think that our wounds are likely to be healed, and that it will no longer be the disagreeable duty of the press to enlarge on error, or denounce injustice.

The encroachments of the colonists upon the Caffres when they came in contact with them on the banks of the Gampton's River; their expulsion from the Rumfield, now Albany, in 1811; the commandos of Colonel Brereton in 1818; our conduct to Gailver, our ally, in 1819, in depriving him of the country between the Fish and Keiskamma Rivers; the injury inflicted upon Macomo and Gaika, by the ejectment of Macomo and his people, with many

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of the people of Gaika, from the Kat River, in 1829; the manner in which the Caffres were expelled from the west bank of the Chumie and Keiskamma in 1833, and subsequently again (after having been allowed to return) in 1834; and the working of the commando system down to December 1834, were sufficient in themselves to account for the Caffre war, if the Caffres are allowed to be human beings, and to possess passions like our own.

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To go into all the particulars that have been named is not my present design; but there are a few cases of recent date that bear upon this point, which I hope I shall be excused in bringing before the Committee. It is not always the greatest injuries that are the most keenly resented, but when the cup of suffering is full, a few drops make it to overflow. The seizure of so large and fair a part of Caffreland in 1819, and the expulsion of Macomo from Kat River in 1829, inflicted greater injuries upon the Caffres than any subsequent events; but if I have formed a correct estimate on this subject, it is my decided opinion that the provocation given to the Caffres in 1833, when they were driven over the Chumie and Keiskamma, added greatly to the irritation and impatience of the Caffres, and to their disaffection to the English Government, to which former events had given rise. But in the former instances they seem still to have hoped that the colony would be satisfied with the part of their territory taken from them; but it now appeared that nothing would satisfy us but the whole, and that it was their entire ruin that was sought. In illustration of this point, it is necessary only to advert to the following letter of Macomo to myself, in which he enumerates the injuries inflicted upon his father and himself by the British Government in language that cannot be read by any mind endowed with sensibility without deep emotion. In the whole of this admirable letter there is a beautiful simplicity, a touching pathos, a confiding magnanimity, a dignified remonstrance, which shows its author to be no common man, and to be worthy of the friendship and confidence of the British Government. The words of this remarkable document are as follows:

As I and my people have been driven back over the Chumie without being informed why, I should be glad to know from the government what evil we have done? I was only told that we must retire over the Chumie, but for what reason I was not informed. Both Stockenstrom and Somerset agreed that I and my people should live west of the Chumie as well as east of it, without being disturbed: When shall I and my people be able to get rest?

When my father (Gaika) was living, he reigned over the whole land, from the Fish River to the Kei; but since the day he refused to assist the boors against the English, he has lost more than one half of his country by them. My father was always the best friend of the English Government although he was a loser by them.

My poor people feel much the loss, not only of their grazing ground, without which we cannot live, but also of our corn, some of which is a considerable height: all this we must abandon.

I have lived peaceably with my people west of the Chumie River ever since I have been allowed by Stockenstrom and Somerset to live there in my own country. When any of my people stole from the colonists, I have returned what was stolen; I have even returned the cattle which the people of other kraals have stolen; yet both I and my brother Tyalie, have almost no more country for our cattle to live in.

I am also much dissatisfied with the false charges sometimes spoken against me. Pray, do the people in the colony not steal as much as the Caffres? Not long ago several boors came to us in search of three cows that were lost; and as I was afraid a commando, as usual, would come upon us, I was obliged to give them 30 head in their place. But after the farmers had left I found the footmarks of the three cows, which had gone close by my kraal, and I found these cows at Fima's kraal, a great distance from me; this is generally the case, and yet the innocent are punished for the guilty. On delivering the three cows I received the 30 head back again.

Just yesterday a cow was returned that had been brought to one of my people by his relation (who is in the service of a boor) in order that he might take charge of it, as the property of the boor's servant; yet we were charged with having stolen it. I do not know why so many commandos come into this country and take away our cattle, and kill our people without sufficient reason: we do no injury to the colony, and yet I remain under the foot of the English.

I would beg the favour of your inquiring at the government for me the reason of all these things, and I will thank you. Your friend,

(signed) *Macomo*, the Chief.

From the manner in which the Caffres had been from time to time driven over the Chumie and Keiskamma Rivers; from the burning of their kraals and tents, and the destruction or loss of their cows on those occasions; the insults they

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they met with in the cases of Macomo and Gooby; the manner in which they were harassed and threatened by patrols; I found them in a state of great irritation and excitement on my last visit to Caffreland. But that resentment, it is my firm conviction, would have been kept under till the arrival of the governor among them, and would not have broken out into actual war at the time it did, had it not been for the affair of "Sparkes" and that of "Sutton," which took place in December 1834, and which goaded on the people of Eno and Tyalie to precipitate themselves upon the colony in the manner they did, in a fit of desperation.

It is not to be wondered at that these aggressions were followed by an overt act on the part of the Caffres. We can form no conception of the respect the Caffres have for their chiefs, and more particularly for the members of the royal family. In their wars with each other, no man aims a blow at the life of a chief; the persons of the sons of their kings and principal chiefs are regarded with a fondness and veneration of which we have no examples in civilized countries, and the wounding of that young man in the head roused the Caffres to retaliation. Much has been said about the late war being the result of a previous combination among the chiefs. For the last 15 years it was impossible for the Caffres to see their country taken from them by piecemeal, and to see the sword of destruction hanging over their heads, without asking themselves what they could do to save their country and their families; it was impossible for them to reflect upon their melancholy situation and not think upon some means to save themselves should things at last come to the worst; but there was no plan among them to attack the colony before the patrols of Ensign Sparkes and Lieutenant Sutton, and had it not been for these aggressions they would have continued to bear their sufferings for weeks or months longer, in the hope of obtaining redress from the governor. They were driven to take one fatal step; having once acted on the offensive, they could not see how it was possible for them to retreat and throw themselves upon our mercy. Had they met with a firm resistance at first, the thing might have soon ended; but when the Caffres saw the English taken by surprise and flying before them, can we be surprised that Tyalie got so many Caffres to join him? May we not rather wonder that the whole country did not rise simultaneously and precipitate itself upon the colony? That the late invasion of the colony was the effect of a long and deeply-concerted scheme is an allegation, in support of which there is not the slightest evidence. This opinion is held by all the missionaries in Caffreland with whom I have been in the habit of corresponding.

The Rev. Mr. Ross has uniformly declared that he knew of no preparation made by the Caffres for war until 200 head of cattle, for the wounding of Ensign Sparkes, was demanded; and until the affair of Lieutenant Sutton, in which the brother of Tyalie and son of Gaika was wounded. Mr. Ross is a missionary of the Glasgow Missionary Society; he was at Balfour when that station was burnt and Macomo driven from the Kat River. He is a man of learning, of talents, of great firmness, and of the highest integrity. I mention this that the Committee may know what importance to attach to the testimony of this excellent man.

The Caffres are represented as crafty savages, as monsters who have placed themselves beyond the pale of humanity. But, even by the showing of their accusers, they suffer nothing by a comparison with our conduct towards them; and enough has been said to satisfy the Committee as to the origin to which the war may be traced. The conduct of the Caffres towards us when they invaded the colony was no more than a simple reaction of a system we have been carrying on against them for many years past. They have been dealing with us exactly on our own principles. We missed cattle, and we were in the habit of going into Caffreland and taking the first cattle we met with to make up the loss. The Caffres complained that many thousand head of cattle were unjustly taken from them in this way, and not being able to put a stop to the system or to obtain redress, they at last determined to right themselves, and to serve us in the same way in which we for many years had been in the habit of serving them. What is there, therefore, in the conduct of the Caffres, in this instance, which gives us a right to complain? We burnt their houses in our commandos, and they in return have burnt some of ours. We robbed the innocent, and they have taken the cattle of a people many of whom had never wronged them. We fired among the Caffres and shot them when they resisted our commandos; now they have wounded and killed some of our people who resisted

resisted them. We began the system and carried it on against them for many years, and they have now done no more than followed the example we have set before them. It has been justly remarked, "that at no period in the history of late years had the conduct of the military been so harsh and unwarrantable towards the Caffres as during the five or six months preceding the invasion. Upon the slightest pretext their cattle were seized, their kraals fired upon, their houses burnt to the ground, and themselves driven to seek elsewhere a place of shelter." On the intelligence of Lieutenant Sutton's patrol, even the editor of the Graham's Town Journal felt constrained to express his indignation against such proceedings in the following spirited language: "We scarcely know whether or not to complain of the conduct of the Caffres in affairs of this kind: they have an unquestionable right to defend their own territory against the inroads of colonial troops; and if we are to have no other system adopted than that of Might is right, let us look to it that in future no patrols, consisting of about a dozen men, and headed only by a stripling, be sent across the border to beard a whole nation within their own limits." With the sentiment here expressed every reasonable man must concur. We cannot, indeed, help coming to the same conclusion with this writer, that war against the Caffre nation was already begun. One chief seizing the cattle of another has always been considered, according to Caffre usage, as a declaration of war; and it is on this ground, among others, that Macomo and the other Caffre chiefs have always insisted that we began the war.

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There has been in the Cape colony a great deal of discussion about the propriety of entering into written treaties with the Caffres. It has been said that the Caffres are not Christians, and that they are therefore incapable of being bound by the moral obligation of treaties. But what is said against entering into written treaties with the Caffres betrays equal ignorance of history of the present state of the world, and of human nature. To this Committee these particulars require neither proof to make them certain, nor amplification to make them plain, and therefore I shall not attempt either; but I beg to refer to one case in the history of America (how deplorable there should be but one), which is of itself a conclusive proof that the obligation of treaties may be powerfully felt by a people in a still ruder state of society than that in which the Caffres are; it is needless to say that the case I refer to is that of "Penn." His conduct towards the Indians was as remarkable for kindness, honour and good faith, as that of others had been the reverse. Penn and his friendly Quakers were not only well spoken of while they lived, but after their death they were long spoken of; and down to a recent date they never ceased to be spoken of by the remains of the Delawares in terms of enthusiastic regard. When war between the Indians and whites was raging in Pennsylvania, the Quaker's habit was a protection in every Indian camp, and the unarmed wearer experienced a friendly welcome in every wigwam.

The Caffres are as sensible of kindness and justice on the part of the whites as the red Indians were, and whenever they shall be honourably treated they will make an honourable return. Do the nations of Europe pay much further regard to the moral obligations of treaties than unto their interest? How often do we find even civilized nations violating their treaties when they find them disadvantageous to themselves, and can we expect that barbarians should not act in a similar manner? But let the Caffres be satisfied that it will be for their interest to be on good terms with us, and we shall have all the securities of those peaceable relations into which we may enter with them that are at present required to justify the introduction of an equitable and peaceable system, in place of the barbarous and unjust policy which has been so long pursued towards them.

The Caffres have been represented as bloodthirsty savages, as worse than were the New Zealanders, and as burning all the houses that came in their way, and slaughtering the inhabitants in the most cruel and barbarous manner. It is not my intention to vindicate the atrocities that the Caffres may have actually committed, or to cut off the sympathy due to the colonists who have actually suffered. But the strong language which has been employed is certainly not borne out by facts. The truth is, that before the Caffres returned violence they had been long and greatly provoked, and there is reason to believe that when they first rushed into hostilities they were actuated by a desire for revenge, consequently it is not surprising that the first victims which fell into their hands were put to death. But the Caffres always spared the women and children, (to this there is only

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one exception, when a woman was put to death by mistake); and had their main object been the effusion of blood, that object might have been attained on a scale beyond all comparison with that on which it was pursued, for they were in possession of the whole of Albany for several weeks, and during that time they could have burnt every house and destroyed every family out of Graham's Town. In corroboration of the above views, I beg to subjoin the extract of a letter from a gentleman, a magistrate, who had the best opportunities for forming an estimate on this subject, from his residence in one of the districts bordering on Caffreland, and who is as much distinguished for his abilities as he is for the respectability of his situation:—" I have come to this conclusion about this disastrous state of things: that the system has engendered a bad feeling; that the recent patrols caused it to burst forth; that the Caffres, " all the tribes," have not combined, and if they had, according to their system of plundering and destroying, and avoiding coming into contact with the colonists, they might, if guided by intelligent men, have destroyed every town between this and the Cape, and ravaged the country at the same time. It required but boldness and celerity during the panic. Half a score of Caffres could have rushed into this town at night time unperceived and set fire to it with perfect impunity. There have been many discoveries made during the last 10 years about the circumstances of the colony, but no one ever seems to have apprehended that the power of the Caffres to blast the colony was hanging as fearfully over our heads as a drawn sword suspended by a thread. I must confess this fact is alarming, our contiguity to such formidable enemies, and will show the necessity of basing our intercourse on principles of justice if we wish to avoid future causes of war, as well as our maintaining a strong attitude on the frontier line, to defend the colony. We must be the masters, but rule, as we do, in justice, making the interests of the natives the grand policy of our conduct. Our very existence in India is a miracle of God for that object, and when we neglect it, the kingdom will depart from us; and it is such views I am inclined to take of our rule, of our duty, in this quarter of the world."

For illustration, and in proof of the above statements, I beg to lay before the Honourable Committee the following documents:

The first document to be presented to the Committee is, on the nature and effects of the commando system, &c., which was drawn up at the request of the governor, and is dated the 13th of March 1834.

The second document consists of letters from the Rev. Mr. Reed, together with some outlines of a pacific system of border policy, both of which were put into the hands of the governor at his own request.

The third document was drawn up at the Kat River, to give the governor additional information as to the actual state of the frontier, along with the developement of the principle necessary to constitute the basis of the new system.

The fourth document consists of a circular addressed to the missionaries at the breaking out of the war; two letters to the Hottentots in Caffreland, during the war, inculcating the duty of obedience to the officers in command; with extracts from Mr. Melville's letters in reference to the dissatisfaction among the Hottentot troops after the dismission of the Burgher force, and testimonies to the character and conduct of the Hottentots from Colonel Smith, Captain Evatt and Captain Stutch.

The fifth document consists of letters to Captain Alexander, aid-de-camp to the governor, and from missionaries in Caffreland, on the causes of the war.

4474. Have you those documents here?—I have.

4475. Will you be good enough to produce them?—This is the first document I have, the 13th of March 1834, drawn up at the request of his excellency, and presented to him on the very day, it appears, on which it was written. [*The same was delivered in.*] Here are the letters of Mr. Reed, and some additional remarks upon the new system of border policy proposed to be introduced, on a model requested by his excellency, and presented to him. This is a document drawn up on the Kat River, communicating additional information to the governor, with the principle on which I consider it would be necessary to constitute the system of international law proposed to be adopted on the frontier [*producing the same*]. This is a copy of a circular addressed to the missionaries at the breaking out of the war, calling upon the natives to come forward and assist in repelling the Caffres [*producing the same*]. These are extracts from two letters, one to Mr. Melville, and one to Captain Stutch, when the Hottentots were represented

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as being in a disaffected and critical situation. In the last letter I requested that they should be shown to Colonel Smith, if there was any difficulty, and both were read to the Hottentot troops. The last letter Colonel Smith noticed particularly, and he approved of it [*producing the same*]. Here are numbers of letters upon the same subject [*producing the same*]. Here is Colonel Smith's letter on the conduct of the Hottentots [*producing the same*]. Here are Captain Stutch and Captain Evatt's testimonies on the same subject. Here are the letters of Mr. Ross, a missionary belonging to the Glasgow Missionary Society, on the causes of the war [*producing the same.*] Here is a letter from Mr. Kayser, in reference to the commencement of the war [*producing the same*]. Here are extracts of letters addressed to Captain Alexander, who was aid-de-camp to the governor, on the causes of the war, and the proclamations of his excellency of the 10th of May 1835. These are the documents which have been drawn up on the subject.

[*The same were delivered in. Vide* Appendix].

4476. Sir *Rufane Donkin.*] It appears that you wrote to the missionary Reed in April 1832 for information, to be communicated to Sir Benjamin D'Urban?—It was in 1834 that I wrote to Mr. Reed upon that subject.

4477. Was this the same missionary Reed that was at Bethelsdorf or Theopolis in 1821?—The same.

4478. Had you, in 1832 or 1834, confidence in that Mr. Reed?—I should be under the necessity of giving some explanation upon that subject. If the Committee wish to bring forward that question, I am quite prepared to meet it. It is the same person that was at Bethelsdorf at the time referred to, in 1821.

4479. You wrote a circular to Mr. Reed in 1834 for information?—I wrote letters, not a circular, for information. I wrote a circular letter to him at the head of the Kat River, in order to call upon him to request the Hottentots to come forward and support the government in assisting to repel the Caffres.

4480. Had not Mr. Reed been in connexion with you and the London Missionary Society antecedent to 1832?—He was.

4481. By what means did he regain his character so as to be employed confidentially by your society?—That will lead to the discussion that took place in 1821 and 1822, which I referred to. When Sir Rufane Donkin was pleased, as governor of the colony, to mention that Mr. Reed's evidence had completely failed, I was greatly affected with the communication, and I believed that it was the case, at the moment that I received a communication from him that he had failed entirely in establishing the charges that he brought against Colonel Cuyler; but, subsequently, every one of those charges was proved to be true, and Mr. Reed was, of course, vindicated.

4482. You said something respecting our conduct to Gaika, in 1818 or 1819, in depriving him of his territory on the colonial side of the Keiskamma. Are you not aware that no land was taken from him in 1818 and 1819, but that the first land that was taken from him was taken by treaty, in 1820 or 1821, by Sir Rufane Donkin, and not in 1818 or 1819?—What General Bourke calls a parol treaty might exist; but I am aware that they, together with other Caffres, in the time of Lord Charles Somerset, in 1818 or 1819, at that time, whether you call it a treaty or whatever name it may bear, the Caffres were driven across the Keiskamma out of the neutral territory.

4483. You are understood to object to our taking possession of the Caffre territories or lands?—I decidedly do.

4484. Did you not apply to Sir Benjamin D'Urban, in 1824, for territory in advance of the Kat River, on which to locate 5,000 Hottentots?—Never.

4485. Do you think it possible to prevent, however much it may be to be lamented, enlightened Europeans who settle in a country from ultimately driving out and exterminating the unenlightened inhabitants?—I most decidedly think it is practicable to prevent it.

4486. Are you aware that in America it has been distinctly proved, and recognised by the chief person of the state, that the natives must be driven out, and yield to the increasing colonists?—I do not at all agree in that opinion.

4487. Have you ever read Mons. Tocqueville's account of the manner in which the enlightened Americans are gradually exterminating the natives in their country?—I have never read the book, but I consider the Americans to be highly censurable for their conduct to the natives.

4488. *Chairman.*] Do you think that if a system of entire justice were adopted towards the native inhabitants, if we respected their rights, if we supposed that they

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had an inalienable right to the soil which they occupy, if we endeavoured to the best of our ability to introduce the peaceful arts of civilization and the truths of Christianity, if our whole policy were grounded on those principles, that it would be possible for us to live in amity with the natives, so that we should receive and give nothing but mutual benefits?—I think it quite possible and quite easy, if proper means are adopted for the purpose.

4489. Do you think that the result of that would be not only beneficial to the natives, but that it would bring, in the shape of commerce, in the shape of the export of articles which we supply, and of imports of the articles which they produce, a greater return of benefit than that which can be derived from a system of violence?—Unquestionably.

4490. You have referred in your examination to the Graham's Town Journal, alluding to the expeditions under Cornets Sutton and Sparkes, and expressing your disapprobation of those proceedings; has that Graham's Town Journal been in general an advocate of the natives, or has it not been considered in general as an advocate and champion for the colonists?—It has been generally unfavourable to the Caffres, and entirely unfavourable to the views I have taken of colonial policy.

4491. So that you quote that as the admission of an adversary, not as the opinion of a friend?—As the admission of an adversary.

4492. Mr. *Bagshaw.*] Was there not a regular paper war between a paper published at the Cape of Good Hope and that published in Graham's Town?—I can say very little upon that subject, for I do not, once in six months, see either the Graham's Town Journal or the Zud Africaan; I only see them when they are put into my hands, and my attention directed to a particular passage.

4493. But you appear to be sufficiently acquainted with the paper published at Graham's Town to be able to state that it is unfriendly to the Caffres?—I generally heard conversations upon that subject, and I heard enough to know the spirit of the publication; but I did not, unless it was put into my hands, read any particular paper.

4494. Then you judge more from hearsay evidence than from anything you know yourself?—With regard to the character of the journal, I have seen enough to satisfy myself upon the subject; but I am not in the habit of reading enough to judge with respect to the controversy which has been referred to.

4495. But from looking at both the papers occasionally it must have struck you that there was a great deal of warfare between the editors of those two papers, namely, the one published at the Cape of Good Hope and the Graham's Town Journal?—I know that they took opposite views of colonial subjects. With regard to any personal hostility between the editors, or what their personal feelings are to each other, I decline giving any opinion; but I know enough of the Graham's Town Journal to justify me in what I have stated, that I considered it as taking unfavourable views of what I consider the rights of the Caffre nation.

4496. Sir *Rufane Donkin.*] Did you not in 1834, or within a year or two of that period, apply to Sir Benjamin D'Urban for lands within the precincts of the territory of the Caffres, or some of the other natives of South Africa, on which lands you proposed to locate a large body of Hottentots?—I never did. The only foundation which there can be for such a statement is in a document which I gave in to Sir Benjamin D'Urban on the 13th of March 1834, and which I have laid upon the table, so that what I have stated can be seen from that document.

4497. Mr. *Gladstone.*] There was one point which you introduced in the course of your narrative, upon which several questions have been asked by this Committee, about the cause to which you ascribe the breaking out of the war at the end of 1834, namely, the affair of Sutton and Sparkes; did the patrol under the command of Lieutenant Sutton, according to your knowledge, enter Caffreland?—The patrol under Lieutenant Sutton drove away the cattle of Tyalie. I do not know what may be considered as the exact limit of Caffreland; there may be some debate with regard to that; but the patrol drove away the cattle of Tyalie, and that gave rise to the affair that happened, when the Caffres, in defending their cattle, were fired upon by the patrol.

4498. Is not it clearly understood what is the boundary of Caffreland?—The Caffres called the Gage the boundary, and they say that that belonged to Caffreland, and that it was originally Caffreland; that Captain Stockenstrom showed them at the time the boundary was fixed that that belonged to them; and it was somewhere

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somewhere upon that ground that the cattle were feeding when Lieutenant Sutton took possession of the cattle. I am speaking of what the Caffres consider Caffreland. I am not saying whether that is the boundary or not; that is a matter yet to be decided.

4499. Then, according to the Caffre interpretation of the boundary, that patrol did enter Caffreland?—They did.

4500. According to the opinion generally entertained in the colony, and the opinion upon which all the authorities in the colony would, as a matter of course, in their official duty be prepared to act with respect to the boundary, did that patrol enter Caffreland, or were the cattle taken within the limits of the colony?—I never understood that they were taken within the limits of the colony; I always understood they were taken on ground which the Caffres claimed as their own.

4501. Did you understand that they were taken on ground to which the claim of the Caffres was admitted?—There was a great deal of difference of opinion upon that subject within the colony.

4502. With reference to your knowledge of that transaction, is it immediate personal knowledge as to the place where their cattle were taken when the chief was wounded, or is it knowledge derived from other parties?—I passed along the Mankassana on the 4th of November, and on the 5th of November along the ridge whence the water flowed on the western side of the Chumie River; I examined that ground on the 4th and 5th, and they pointed out to me the place where the Caffre Goobie had his hut burnt: that was on the Mankassana. But from my knowledge of the localities as they were pointed out to me, I conceive that the place where the cattle were said to be taken was on the ground that the Caffres claimed. Now it appears to me that long before that time, if we had not admitted their claim to it, they would have been driven from that ground. They were pasturing their herds upon that ground, and the cattle were not seized because they were upon the colonial boundary, but the cattle were seized to indemnify the colony for the loss sustained by the horses said to have been stolen.

4503. The ground which you now speak of was pointed out to you on the 4th of November, within the limit of the river you have mentioned?—It was within the drainage of the Chumie River.

4504. Was it within the limit of the Gage?—The Gage is a part of the drainage of the Chumie River.

4505. Did you understand that the place where the chief was wounded was within the limit of the boundary claimed by the Caffres?—I cannot say as to that; they pointed out the place to me as I was passing along to where Goobie's hut had stood; I did not examine it; I think it was in the Mankassana, and I understand that it was in that neighbourhood where Tyalie's cattle were afterwards seized.

4506. You are not aware whether the place where the chief was wounded was within the limit claimed by the Caffres?—I am not aware of that.

4507. But it is with reference to the place where the cattle were pasturing that you speak when you say it was within the limits claimed by the Caffres?—Yes.

4508. Was Macomo the author of that letter which you have quoted?—He dictated that letter.

4509. Mr. *Baines.*] Was the original letter written in English?—Yes; it was dictated in Caffre to the person who translated it into Dutch for the mechanic who wrote it in English, and who was the pen of Macomo, and nothing more. The person who wrote it could not have written the letter if it had not been dictated to him by the superior mind of Macomo.

4510. Mr. *Gladstone.*] Was the person who wrote the letter a Caffre?—No, he was an Englishman, a mechanic. It was translated of course into English from the Caffre language.

4511. By whom was it translated?—It was translated by Kayser, the missionary; it was written by a man named Clarke, a mechanic.

4512. Was it taken down in English by Clarke, or in the Caffre language?—It was first translated by Kayser, and then written in English. Kayser could not write in English; he communicated in Dutch the translation to Clarke, and Clarke wrote it in English.

4513. Then it went from Macomo to the missionary, and from the missionary to the mechanic?—It went from Macomo to Kayser, and from Kayser to Clarke.

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4514. The missionary would of course have been capable of writing that letter?—No, he could not have written that letter.

4515. *Chairman.*] From your previous communications with Macomo, do you believe that these were his real sentiments?—I believe that they were.

4516. Do you think the expressions there corresponded with his mode of expression?—I believe fully.

4517. Do you believe that that is a true letter coming from Macomo?—I believe that it is a true letter, dictated by Macomo.

4518. And that we have the real intention with which that letter was written?—The real intention. I have seen a great deal of Macomo, and have conversed a great deal with him, and I know the power of his mind and his mode of expressing himself.

4519. Mr. *Gladstone.*] Do you mean that the missionary Kayser was not capable from his own power of mind of writing such a letter?—I have never received a letter from Mr. Kayser in the style of that letter.

4520. Do you mean that there was more ability and more power than you would have expected from him?—More of ability, more power, more simplicity, and more of the Caffre character, than Mr. Kayser was capable of expressing.

4521. Mr. *Baines.*] Mr. Kayser could have no motive for fabricating a letter and putting forth a letter as coming from the chief that was not his?—It was attested by Kayser, the missionary, and Clarke. Their names are both affixed to the communication made to me as a true expression of the sentiments of Macomo; they could have no motive for falsification in the matter.

Colonel *Cox*, called in; and further Examined.

Colonel *Cox*.

4522. *Chairman.*] HAVE you had any correspondence with the government at the Cape of Good Hope relative to the treatment of the Caffres at any time?—Certainly not.

4523. Have you had any correspondence with any official person as to the treatment of the Caffres?—No.

4524. Have you any letter-book containing any copies of your letters referring to the treatment which the Caffres have received?—Nothing relative to the treatment of the Caffres. I have a letter-book, in which are copies of official communications with the governor and the commandant, and the military authorities, but nothing relative to the treatment of the Caffres.

4525. Was there anything referring to the conduct of the Caffres?—Nothing, except the specific account of the stealing, in consequence of which the military under my authority were employed. I was not called upon to give an opinion relative to the Caffres.

4526. Have you ever expressed, in writing or in conversation, to the best of your recollection, any opinion that the Caffres had been an ill-treated nation?—I may have given opinions which it is impossible for me to recollect now. It was a constant subject of conversation, the Caffres and the war; and any opinions I may have given it is impossible to bring to mind just now.

4527. Mr. *Gladstone.*] In the course of your previous examination you were asked in detail what your present opinion was about the relative rights and wrongs of the Caffres?—I was, and my opinions are on record.

4528. Are you aware of your opinions on this question having undergone any change?—No, certainly not.

4529. *Chairman.*] I have in my hand a letter from the Cape of Good Hope, in which occurs this passage: "Major Cox, who is now in England, is much attached to Macomo; he was 11 years commanding at Beaufort, and one day speaking of him, he observed, 'if my letter-book were called for at any time, it would fully prove how injured both Macomo and Tyalie have been'"?—I do not think my letter-book would produce anything of the kind. I never was called upon to give any opinion that would give rise to these sentiments.

4530. Mr. *Bagshaw.*] Do you recollect expressing an opinion similar to that read by the Chairman?—I may have given opinions at different times relative to the treatment of the Caffres, and no doubt I have, but I cannot bring them to mind now.

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4531. *Chairman.*] Is it your opinion that the treatment which the Caffres have experienced at other times has generally been a treatment of justice and humanity?—In some cases I thought not; I thought in some cases there was unnecessary harshness. Perhaps I had not the means of being able to form an opinion.

4532. Is the fact here stated true, that you had reason to entertain a good opinion of Macomo?—Macomo was a favourite of mine. I confess I thought a great deal could be done with him, and I thought he had been in some instances rather harshly treated. I have a more favourable opinion of Macomo than of any other chief.

4533. You were commanding at Fort Beaufort for 11 years?—For six or seven years.

4534. And had opportunities of forming an opinion of Macomo?—I had frequent interviews with Macomo.

4535. Mr. *Gladstone.*] Did you retain your good opinion of Macomo to the last?—I did, certainly; I thought a great deal might be done with Macomo.

4536. Do you attribute to him deliberate duplicity?—No.

4537. What do you think of him in point of general character and intelligence?—I think he has more intelligence than the other Caffre chiefs, and that a great deal more might be done with him than with any others; he has more reason to complain than the others; he has been removed two or three times from his territory.

4538. Do you allude to the removal of Macomo that took place in 1830?—I allude to his removal from the Kat River.

4539. You have heard Macomo's letter read in the statement of Dr. Philip to-day; does such a letter surprise you at all, from your knowledge of the capacity of Macomo?—I do not think he is capable of writing such a letter, but he might put words together in a manner somewhat similar to that, but not exactly such a letter as that.

4540. You think him capable of putting forth the substance of it?—Some of these remarks he might have embodied in a letter, but not in the language of that letter.

4541. Substantially you think it bears the marks of authenticity, but not in that form?—Some of the points of it; but I do not think he would have written the words exactly as they are there.

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*Lunæ, 20° die Junii,* 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Bagshaw. |
| Mr. Andrew Johnston. | Mr. Charles Lushington. |
| Sir Rufane Donkin. | Mr. Hindley. |
| Mr. Holland. | Mr. Baines. |
| Mr. William Gladstone. | |

MR. FOWELL BUXTON, IN THE CHAIR.

*John Tzatzoe,* a Caffre Chief, called in; and Examined through the interpretation of Mr. *James Read,* jun.

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4542. *Chairman* to Mr. *Read.*] DO you understand the Dutch language?—Yes.

4543. Will you undertake to translate what Tzatzoe may say to this Committee with the utmost possible accuracy?—Yes.

4544. To *Tzatzoe.*] Are you one of the chiefs of Caffreland?—Yes.

4545. How many people are subject to your authority?—Two thousand, including men, women and children.

4546. Are you a chief independent of other chiefs, or are you a chief subordinate to any other?—I am the chief of a tribe, but I am subject to the great

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chiefs. Although I am subject to the other chiefs, I could fight against the other chiefs.

4547. Did you, or any of the people of your tribe, take part in the late invasion of the colony?—No.

4548. How did you act when the colony was invaded by the Caffres?—I sat quiet, as I did not expect the thing.

4549. When you saw your countrymen enter into hostilities against the colony, did you think it best to sit quiet?—Yes, I thought it best to sit quiet.

4550. Will you mention the reasons which induced you to refrain from taking any part with your countrymen against the colony?—In the first place, I am a Christian, and the word of God tells us not to fight, or to shed blood; and that is the first reason why I sat quiet.

4551. What was the next reason?—When Charlie's brother was wounded, a messenger was sent to all the chiefs, and that messenger went to Hintza. The messenger called at my place when I was from home; I was on my way to Kat River to see Mr. Read, who was ill. When I came to Sutu she told me that her son had been wounded; but she said go on to Charlie and he will tell you all about it. When I came to Charlie, he told me that his brother had been wounded; and that when the patrol had come to his brother's kraal and taken cattle out, when his brother remonstrated with the patrol, he was shot. And I asked Charlie, what are you going to do? Charlie then replied, "I have caused my missionary to write a letter to Captain Armstrong on the subject, and the answer I got was, that he had nothing to do with it, that it did not happen in his part of the country." I then put the question to Tyalie, what are you going to do? Tyalie said, "My missionary is going to write another letter to Colonel Somerset, requesting him to write to the officer at Fort Beaufort, to know why his patrol shot my brother." I told Tyalie that is well. When I was about 20 paces from Charlie's place I met the two missionaries, Mr. Chalmers and Mr. Wear. The missionaries then asked me to go back to Charlie's place with them to know why the patrol had shot Xo-Xo, Charlie's brother. We then went to Charlie's kraal, and the missionaries asked Charlie whether they might see the young chief. Tyalie said, yes. We went to Xo's hut to examine his wound: we examined the wound; Xo-Xo was shot in the head with slugs. The missionary then said to Xo-Xo, "You see the necessity of prayer; you might have been killed, and have died an unconverted man."

4552. Do you understand sufficient of English to see whether the translation of your answers is correct?—No; here and there I understand.

4553. Had there been any previous meeting of the chiefs to decide upon war?—No; if they had held a meeting I must have known of it.

4554. How do you know that if a meeting had been held you were sure to have been informed of it?—I have a voice in those matters.

4555. Had Hintza sent any message to the border chiefs, commanding them to abstain from hostilities?—Yes, a chief was sent to my place. The messenger said, "Hintza sends his word to you, and Hintza says you must not fight, for I do not fight."

4556. Were the chiefs who made war upon the colony displeased with you for remaining neutral?—When I was on my way to the Kat River, the chiefs had not then held a meeting to decide upon making war; but every Caffre who saw Xo-Xo's wound went back to his hut, took his assagay and shield, and set out to fight; and said, "It better that we die than be treated thus."

4557. Did the hostile chiefs make any attack upon your people?—When I saw Tyalie, he told me that he had caused his missionary to write to the governor, to say that he was not going to fight; that the Caffres had broken out into the colony. Macomo did the same. He also wrote to the governor and Colonel Somerset to make peace, for that they were not going to make war; but that the Caffres had made an irruption into the colony.

4558. Did they make any attack upon you?—They attacked me afterwards; they did not get an answer from the governor, and then they made war, and fell upon me.

4559. Then, when the Caffres saw that you took no part with them against the colony, they treated you also as an enemy?—Yes.

4560. Did you, in any way, attack them at that time, or did you merely defend yourself against the attack they made upon you?—I only fell on those who made an attack upon me.

4561. Then you had no wish to fight against the other border chiefs, except in self-defence?—No.

4562. Did you afterwards engage in the war, on the side of the colony, against the Caffre chiefs?—Yes.

4563. What were the circumstances which led you to unite with the English in opposing the Caffres?—The Caffres were turned my enemies; and the settlers said, "If you remain neutral, you are an enemy, you are a rascal."

4564. Had you an interview with the governor?—No, I had no interview with the governor. The first time I had an interview with the governor was when I went to him to speak about my place, and when he told me that I was not to live in the same place, that it would be too near to the Fort, and when he appointed another part of the country for me.

4565. Did you not see the governor in Hintza's country?—Yes.

4566. When was that?—In the year 1835.

4567. What led you to have an interview with the governor during the time he was in Hintza's territory?—My people and Pato's people said, "Had you not better go and see what is doing at the Kye; for there are so many reports in these parts; is it not better for you that you went and saw the governor, and see what is going on?"

4568. When you saw the governor, did you offer to assist the English, and join them against the hostile Caffres?—No; I do not know whether Pato might have done so, but I did not.

4569. Did the proposal for you to engage in the war, on the side of the English, originate with the governor, or with yourself?—I do not know whether it came from the governor; but Colonel Smith gave a letter to Pato, and said that he was to go to Captain Halifax, and that Captain Halifax would give him 100 men, and that they were to scour the Keiskamma.

4570. Did you consider yourself as commanded by the government to assist against the Caffres?—Yes.

4571. What did you suppose would have been the consequence to you, if you had refused to assist the English?—I thought that if I had not gone against the Caffres, the English would have said that I was engaged with the other Caffres against the colony. The common talk in Colonel Somerset's camp, was, how is it that the Caffres do not attack you; it is a dangerous position that you hold, standing neutral.

4572. Did you then return home and call out your men?—Yes; Captain Halifax sent word to Pato, to say, that if he was prepared he would send his men to join him, and that they were to go out.

4573. How many men did you collect for the war?—400 men.

4574. How many of those were men belonging to your own tribe?—The 400 men belonged to my tribe; I suppose Pato might have had 500, but I do not know; Umkie had some.

4575. Did all the 400 men belong to your own tribe, or did some of them belong to another tribe?—They belonged to my tribe; Pato, I think, had more.

4576. How were you and your men employed?—We joined Colonel Smith on the other side of the Buffalo River; Colonel Smith's commando passed the river, and told Captain Halifax and ourselves that we were to scour one part of the country; that he would scour the other part of the country.

4577. Did you continue in the war till its close?—No.

4578. How long did you remain?—Three weeks.

4579. Did the governor appear satisfied with your conduct while the war continued?—I suppose so, as I never heard that he had said anything to the contrary.

4580. Did you and your people receive any pay for your services in the war?—The governor gave us 120 head of cattle; I divided the cattle; many of my people got nothing.

4581. Before the war broke out were your people accused of stealing cattle from the colony?—No.

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4582. Had no cattle been traced to the kraals of your people?—No; no white man can accuse me of ever having traced cattle to my kraals.

4583. Had no patrols came among your people and taken cattle from them?—No.

4584. Have no patrols at any time come among your people?—No.

4585. Have you always lived in peace with the colony?—I always lived in peace with the colony; but sometimes when people came to complain to me my heart was sore, and I used to make inquiries into their grievances.

4586. You were then sometimes dissatisfied, but still have retained relations of peace with the colony?—Yes; I used to settle cases between the traders and the Caffres; and I used to tell the traders when they were wrong, and the traders would sometimes submit to my judgment, at other times they would not.

4587. In those cases did you more frequently find that the Caffres were wrong and the traders right, or the traders wrong and the Caffres right?—Sometimes the Caffres were wrong, and at other times the traders were wrong.

4588. Which were most frequently in the wrong?—I should say that the fault lay in most cases with the traders. I will give you an instance: An Englishman's cattle went into a Caffre's garden and destroyed his garden; the Englishman only paid 20 buttons. At another time the Caffre's cattle destroyed the Englishman's garden, and the Englishman charged the Caffre two head of cattle. The Caffre came to complain to me. I said to the Caffre, "Go and call the Englishman," and they both came. When the Englishman came, he said that the Caffre's cattle had destroyed his garden; the Englishman said that the Caffre's corn was not so valuable or so good as his own. I said to him, "How can you say that your corn, or what you grew, was better than the Caffre's; how do you know that your onions and things are better than the Caffre's corn?" I said to the Englishman, "You must get 20 buttons." The Englishman would not agree to that; he said, "I want two head of cattle." I then said, "If you pay the Caffre two head of cattle, the Caffre will pay you two head of cattle." In another case two Caffre women took thatch to an Englishman; one of the Caffre women went to receive payment, the other woman went home; and the one who went to receive payment took all to herself; the other woman who had gone home came back, and went to the trader and said, "I come to get payment for my thatch." The Englishman kicked her, and sent her away. The husband of the woman said, "Now there is my wife, she is sick, the Englishman has kicked her." I told the Caffre to go and call the Englishman, and the Englishman came.

4589. Mr. *Lushington.*] Which does a Caffre value most, two oxen or 20 buttons?—The two cattle, to be sure.

4590. Do the Caffres attach much value to buttons, and such trifles?—Sometimes the Caffres think buttons of great value; that is, when they are in fashion; when they are not in fashion they are of no value. Those people who do not understand our customs think that the buttons should always keep the same price. They know that they have a fixed price for their articles; they always sell their articles for the same price, and they want to change our price. The Caffres naturally ask, how is it that those people have a fixed price for their things, and we cannot have a fixed price for our articles.

4591. But, generally speaking, the time is passed away when they would give cattle, and such articles of real value, for the trifles which have been referred to?—I cannot say that, for the Caffres still like to have buttons; but I was merely speaking of the price; that whatever the Caffres like, whether it is buttons, or any other things, we want a fixed price for the articles.

4592. Mr. *Bagshaw.*] What was the name of the Englishman?—The Caffres call the Englishman's name George.

4593. Mr. *Baines.*] How many buttons would buy two oxen?—We pay 25 dollars for one ox, and 50 dollars for two oxen; now the buttons would not cost more than 6*d.*; perhaps a man would not get more than 6*d.* for 20 buttons. But even suppose a man paid a dollar for the 20 buttons, he gets 25 dollars for an ox, and so he gets 24 dollars profit.

4594. Then in the one case the Caffre received for the injury done to his garden not so much as was worth one dollar, and the Englishman received for the injury done to his garden as much as was worth 50 dollars?—Yes.

4595. Mr. *Gladstone.*] Do you think that the injury actually done was the same in both cases?—The Englishman had only a small piece of ground half the size of this room, and the Caffre had a large field of corn.

4596. Mr. *Bagshaw.*] Was this in Caffreland?—Yes.

4597. The Englishman was located in Caffreland?—He was a trader there, near to my place, on the Buffalo River.

4598. *Chairman.*] What do you believe to have been the cause of the war?—The shooting of Xo-Xo.

4599. Who was Xo-Xo?—The son of Gaika.

4600. Was he the brother of Macomo?—Yes.

4601. Who commanded the patrol that wounded Gaika's son?—The Caffres did not know the name of the officer. When Charlie wrote to Captain Armstrong, he said that the officer belonged to Beaufort.

4602. Did the wounding of Gaika's son by the patrol produce a powerful feeling amongst the Caffres?—Yes, from that day; from the time that Xo-Xo was shot; when Xo-Xo recovered a little, he fainted away, and recovered a little; and he then said to the Caffres about him, "Fight away!" and the Caffres fought with the patrol.

4603. Is any injury committed on the person of a Caffre chief regarded as a very peculiar and great provocation?—Yes.

4604. Did the Caffres in this instance consider the wounding of their chief as a great insult to the nation at large?—Yes; the Caffres said, "Life is of no use to us if they shoot our chiefs."

4605. Were the Caffres in a state of dissatisfaction and excitement prior to the chief's son being wounded, on account of the patrols that had entered their country?—It was not general; but at particular kraals or parts of the country where the patrols were more frequent, the people used to speak a good deal about the treatment of the patrols. The governor required something from Eno when Sparkes was wounded, and Eno was ready to comply with it.

4606. Do you consider that in the state of partial dissatisfaction, in which the Caffres were in consequence of the patrols, that the wounding of the chief's son increased that dissatisfaction so much as to cause the war?—Yes.

4607. Do you know the circumstances attendant upon the shooting of the Caffre chief's son?—A patrol came to the Gaga, passed through the other Caffre's cattle, went to Charlie's oxen and seized them. Xo-Xo went up to the patrol, and some of his men followed him. Xo-Xo said, "Why do you take the oxen, there is no war between us; have you traced the track of cattle or horses into Caffreland?" They did not make answer; they answered him with a gun.

4608. Do you know what was about the age of the officer who commanded the patrol?—I asked Charlie, he said it was a little officer.

4609. Do you know anything of the circumstances of the patrol under Sparkes?—Not much, but I heard that Sparkes went out on the track of some cattle. Sparkes went and seized some cattle, and the Caffres went and lay in ambush for him, and when he passed the Caffre threw his assagai. It was not the man who had stolen the cattle that threw the assagai.

4610. They were then innocent of the theft, and their cattle were taken away?—Yes. Eno paid a fine afterwards; not because the stolen cattle were found among the people, but because his people wounded the officer.

4611. You have stated that one of your reasons for remaining neutral was, your having received a message from Hintza, forbidding the Caffres to make war. Why did not the other chiefs obey Hintza's command?—The chiefs could not restrain their people, their people had already broken into the colony. The Caffres said to Macomo and Charlie, "Since Gaika's death you do nothing; do not you see that the people are going to kill you at last?"

4612. Do you think that if the other chiefs had not committed themselves by entering the colony before they received Hintza's message, that that message would have been the means of preventing the war?—If the people had thought with the chiefs, they would not have fought.

4613. Was not Hintza considered as the head of the Caffre chiefs?—Hintza is king; but if any insult is offered to Hintza's people, and they are going to make war upon any one, and Hintza tries to restrain them, they would not listen to him. He is something in council, but not out of it.

4614. Mr. *Bagshaw.*] Was he acknowledged to be the chief of all the Caffres by the other chiefs?—Yes, he is the king of us Caffres.

4615. If Hintza had made a treaty with the governor of the Cape of Good Hope, would it have been binding upon the other Caffre chiefs?—If Hintza summoned all the chiefs, and if they were present and discussed the matter, it would; but not if Hintza did it by himself.

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4616. *Chairman.*] You have said that there was no meeting of the Caffre chiefs to declare war; do you think there could have been any such meeting without your having heard of it?—No such meeting could have taken place without my knowledge.

4617. When Hintza sent to the chiefs, forbidding them to go to war, did he send a distinct messenger to you?—Yes.

4618. Did Tyalie send to inform you of the wounding of his brother?—Yes.

4619. Was the place where Xo-Xo was wounded within the British colony, or within the Caffre territory?—On the Caffre ground; the Caffre lived at the Gaga at the time.

4620. How far distant was that place from the nearest point of the British territory?—I do not know; I do not know how far the country of the English extends that way.

4621. Mr. *Gladstone.*] Was it on the English or on the Caffre side of the Gaga?—It was on the Caffre side, according to the line; the line came down on the ridge to where Chumie joins the Keiskamma.

4622. Were the Caffres residing upon that spot by sufferance of the Colonial government, or by right?—I cannot say that; but if it had been the ground of the English, they would have said, "We come to shoot you or to drive you back, because you are living on our territory."

4623. Do you mean then that the ground did not belong to the English?—Yes; when I knew the ground it was Caffre ground; I was not present when the ground was given away, and therefore I do not know how it is.

4624. Had the ground been given by the Caffres to the English?—No.

4625. Mr. *Baines.*] Had the ground been taken away from the Caffres by the English?—Yes; the Caffres never gave the ground to the English, but the English took the ground.

4626. *Chairman.*] Did they take away this particular piece of ground on which Gaika's son was wounded?—From the waters of the Fish River I mean.

4627. Mr. *Gladstone.*] If the ground had been taken by the English from the Caffres previously, was it not acknowledged by the Caffres to belong to the English at the time when the affray took place?—The English, perhaps, told Xo-Xo that the ground belonged to the English; but I never knew it.

4628. Did the English consider that the ground belonged to them?—If the Caffres had given the ground away to the English, they should have called them all together; and the chiefs should have said, "We give this ground to the English;" or the English should have said to the chiefs, "We take this country from you to-day."

4629. Did the English consider the ground to be theirs?—I do not know.

4630. Mr. *Bagshaw.*] Do you know what is called the Neutral territory, between the Keiskamma and the Fish River?—I understand so.

4631. Did this affray take place within that part of the territory?—Yes.

4632. *Chairman.*] Have you always been informed of every great measure that the other chiefs consulted about, that had reference to all the tribes of the nation?—Yes.

4633. And are you quite positive of the two facts; first, that the chiefs had no meeting together in order to arrange for going to war with the English; and, secondly, that Hintza sent instructions not to go to war?—Yes; quite sure of both.

4634. Mr. *Bagshaw.*] How was it then that Hintza did not call a meeting of the Caffre chiefs, to impart his views to them?—The Caffres had already made a rush into the colony, and the chiefs could not find their men, and Hintza could not get to the chiefs.

4635. But when the irruption had begun, all the Caffre chiefs, except you, assisted in the war as much as if it had been done by unity of purpose?—It was when they saw that there was no peace to be had, that the governor did not answer their letter, but sent commandos. The whole country was full of commandos, and the Caffres saw that there was no alternative.

4636. Did not the Caffres make the first general irruption into the English territory?—No, the English attacked the Caffres.

4637. *Chairman.*] Do you mean to say that the English went into the Caffre territory and made war upon them before there had been an incursion of the Caffres into the colony?—My answer was in reference to the patrol; but, excepting the patrol, the Caffres attacked the English first.

4638. *Chairman.*] Have you known much of the commandos and patrols that have been reported to have been going into Caffreland for some years past?—I have a personal

a personal knowledge of some of the commandos; others I have heard of from Caffres; and there are many cases which I have myself investigated. I knew, for instance, the commando of Colonel Fraser.

4639. Will you state to the Committee what has come to your knowledge relative to the patrol and commando system?—I will begin with the commando of Colonel Fraser. The governor came to Kat River to Mr. Williams' station, and he then appointed Gaika as head over all the chiefs in Caffreland. Gaika said to the governor, "We do not do things as you do them; you have but one chief, but with us it is not so; but, although I am a great man and king of the other Caffres, still every chief rules and governs his own people." Gaika said to the governor, "There is my uncle, and there are the other chiefs." The governor then said, "No; you must be responsible for all the cattle and the horses that are stolen." The other chiefs then said to Gaika, "Say, yes, that you will be responsible, for we see the man is getting angry;" for we had the cannon and artillerymen and soldiers and boors with loaded muskets standing about us. Gaika then complied. He said he would be responsible for all the cattle and horses stolen from the colony. The governor said moreover, that the Caffres were not to pass the Fish River; that the English were to drink on the other side of the river, and the Caffres were to drink on this side of the river; that the middle of the river was the boundary line.

4640. Mr. *Bagshaw.*] How long ago was that?—In 1817. The governor said, "If the Caffres pass the river I will shoot them; if my people pass the river into your country you are at liberty to kill them." Gaika then said to the governor, "I cannot write; how am I to give passes to my people to pass into your country?" The governor said, "I will send you some pieces of copper, and your men are to carry these whenever they come into the colony." Then he sent him 12 plates, with Gaika's initials.

4641. How old are you?—About 45.

4642. How do you gain this information; were you present on the spot at the time?—Yes. Shortly after the governor left Gaika sent men into Caffreland to see whether they could find any colonial cattle or horses; the men brought back some horses to the place upon one evening, and then left the next day for Graham's Town. After that Agnatius Mulder and William Nell came to Gaika to see whether the Caffres had any colonial cattle or horses. Gaika sent his brother-in-law Kota to accompany them into Caffreland. Kota was to take them into Caffreland, and it was told Kota that the boors were to take all the colonial cattle and horses that they might find in Caffreland. After William Nell and Mulder's return to the colony we received a letter from Major Fraser, stating that a commando was about to enter into T'Slambee's country to recover some colonial cattle, but said at the same time that the object of the commando was not to attack either Gaika or his people, but it was intended against T'Slambee. Mr. Williams then told me to take a letter to Gaika, and to tell him the purport of the letter; that Major Fraser had sent this letter, saying that a commando was about to enter T'Slambee's country, but that the object of the commando was not to fight against Gaika, or against his people. T'Slambee heard that a commando was coming, and he prepared his people to fight; and when Major Fraser came to T'Slambee's country, he found T'Slambee fully prepared to fight him. I was not in T'Slambee's country when that commando went into the country, but some of the people who were on the commando told me that T'Slambee had divided his people into three divisions and surrounded your troops; and that when the boors were afraid, they said to Colonel Fraser, "You should never attack a bee's nest from behind, but in front; it will never do to fight the Caffres so far in their own country." I do not know what passed between T'Slambee and the commando; but the commando went back from T'Slambee's country, passed Fort Willshire and attacked Botman's people below where Beaufort now stands. The commando went on and attacked Gaika's people on the Kat, Konap and Kovoem Rivers. We were working the same day cutting wood, and we heard the commando firing on Gaika's people. Gaika then sent the son of Hemrod, a minor chief, to say, "How is it that you have treated me in this way? you have betrayed me into the hands of these people; you told me that the object of the commando was not to fight against me, but against T'Slambee; how is that, that I have now been attacked and my people killed?" We said to Gaika, "We do not know, but we told you what the letter said." Mr. Williams then went home and wrote a letter, and sent it to the commandant of the commando, and he did not receive an answer to it. I went to Graham's Town and saw Major Fraser; I said to him, "How is this, Major Fraser? you sent a letter

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to Gaika to say, that you were not going to attack him; that the object of your commando was to attack T'Slambee; how is it that you have broken your word and attacked Gaika's people?" I said, "It would have been much better had you yourself gone to Gaika and told him this; you have ruined us; Gaika will never put any confidence in us." Major Fraser asked, "Were those Gaika's people that I attacked?" I said, "You knew very well that those people belonged to Gaika; you were present when the governor had a conference with Gaika on the Kat River; if the impression on your mind was that those people belonged to T'Slambee, you would not have gone through Trumpeter's Drift, but you would have come by Brun's Drift." Frazer did not say a word.

4643. *Chairman.*] Can you state what quantity of cattle were taken away upon that occasion?—I cannot say the exact number.

4644. Will you endeavour to recollect it by the next time the Committee meets?—Yes.

4645. Did the commando do a vast deal of mischief to the Caffre chiefs in the Caffre country?—Yes, it killed some people, and it took cattle.

4646. Do you think, on the part of the Caffre chiefs, whose country was injured, the commando was altogether unprovoked?—Unprovoked; no cause for it. I forgot to mention that the governor promised to assist Gaika whenever any of his chiefs should show any hostility, or would not deliver up any of the cattle that he demanded. T'Slambee and Gaika had a quarrel after Frazer had been to Caffreland; Gaika sent word to the government to ask help; the government then came to assist Gaika; Colonel Brereton was sent. They took a great many cattle from T'Slambee's people, and shot a great many people. Gaika only got a few old cows; and the government took all the fat oxen and fat cows. Gaika brought all those troubles upon him, for having joined the English government. He had T'Slambee and Hintza, and Kobus Conga and Dushany, and all the chiefs, against him, because he had joined the English. Gaika then said, "How is this? I lost my cattle because I was on the side of the English; and now, when they send a commando to aid me to recover my cattle, how is it that I get only the old cows, and they keep all the fat oxen and the fat cows?" Gaika said, "I do not believe that the English were in earnest when they said they would assist me; they merely wanted to get me into trouble, and they would take an opportunity of going into Caffreland to get cattle on their own account." After the cattle of T'Slambee's people were taken, T'Slambee's people went after their cattle into the colony, and attacked Graham's Town, and they took cattle from the colony. Another commando was sent in against T'Slambee, and drove him over the Kye. The governor said to Gaika, "Gaika, you must come back from the Rode Waal to Chumie;" and Gaika said, "I cannot leave that part of the country, for I have not made peace with my uncle yet." Gaika then said to the governor, "You must give me a house to take care of me; after I have made peace with my uncle, I will tell you, and then you will withdraw the house; and then the governor established Willshire."

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*Mercurii, 22° die Junii,* 1836.

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| Mr. Fowell Buxton. | Mr. Holland. |
| Mr. Bagshaw. | Mr. Hindley. |
| Mr. Lushington. | Mr. Wilson. |
| Mr. Andrew Johnston. | Mr. Baines. |

MR. FOWELL BUXTON, IN THE CHAIR.

*John Tzatzoe*, a Caffre Chief, called in; and further Examined through the interpretation of Mr. *James Read.*

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4647. *Chairman.*] WERE you present at a meeting which Dr. Philip held with several Caffre chiefs, a short time before the war broke out?—Yes.

4648. Did you act as Caffre interpreter upon that occasion?—Yes.

4649. Who were the chiefs present upon that occasion?—Macomo, Botman and Kama and myself.

4650. What did Dr. Philip then talk to the chiefs about?—Dr. Philip began by telling the chiefs to send their children to school to have them educated; and impressed

pressed upon Macomo the necessity of having Sandalie, who was to be the successor of his father, educated. Dr. Philip said to Macomo, "It would be a good thing if you were to send your children to Mr. Kayser; you have a school with you, and you should send your children to that school;" and Macomo said, "Yes, all that you have said is very good, but I am shot every day; my huts are set fire to, and I can only sleep with one eye open and the other shut. I do not know where my place is, and how I can get my children to be instructed." Botman said, "How is it that you want us Caffre chiefs to put a stop to theft; they have thieves in the colony, they have gallowses, and they have prisons, and how is it that they expect the Caffre chiefs to put a stop to theft among the people." Kama and I said, "This is a very good plan;" but when the other chiefs touched upon that point we saw that they got the better of us.

4651. What did Dr. Philip say?—Dr. Philip said, "I have nothing to do with what you mention—the patrols, and those things; there is a good governor come, he will soon be among you, and you had better state your grievances to him. You have a school, and the best thing you can do is to send your children to school. I am on my tour to visit my stations."

4652. Did Dr. Philip advise the Caffres to seek redress by going to war, or to seek redress by application to the governor?—Dr. Philip said there was a good governor coming, and he would soon be among them, and they were to speak to him about their grievances. We chiefs said, "You always speak of good governors coming; the missionaries always speak of good governors; and they say that good governors would redress our grievances; but they have never redressed any of our grievances."

4653. Did Dr. Philip say anything to the chiefs about Sir Benjamin D'Urban having sent him to form a treaty with them in the name of the government?—No, I did not hear that.

4654. Had you any idea at that time that Dr. Philip was sent by Sir Benjamin D'Urban to make a treaty with the chiefs?—No, I did not know that, as Dr. Philip did not mention it. I thought that Dr. Philip was merely taking his rounds to his stations to visit them, as his custom was.

4655. Do you think that any of the other chiefs had an impression that Dr. Philip was sent as an authorized negotiator?—No; the Caffre chiefs know that Dr. Philip whenever he comes to the stations speaks to them about the necessity of having their children educated.

4656. Did you at this interview, or at any other time, hear Dr. Philip say anything whatever that was calculated to make the Caffres discontented, or to excite them to make war against the government?—No, I never heard the Doctor say anything that was calculated to excite the Caffres.

4657. Do you think it possible that the Caffres would have made war upon the British colonists at an earlier period if Dr. Philip had not recommended them to make peaceable applications to the government?—No, I could not say anything on that subject, as the cause of the war was the shooting of Xo-Xo.

4658. Did you ever hear Dr. Philip advise the Caffre chiefs to exert themselves in preventing their people from plundering the colony?—Yes, Dr. Philip told the Caffres not to allow their people to steal; and that the best thing they could do was to instruct their children, and they would see the advantage of education.

4659. Mr. *Bagshaw*.] Then the chiefs acknowledged that their people had been guilty of theft, or else Dr. Philip would not have made the remark?—I do not say that there are no thieves among the Caffres, but I say that the nation is not a nation of thieves.

4660. *Chairman*.] Has Dr. Philip at any time, to your knowledge, recommended the chiefs to cultivate peace with the colony, whatever they might have to endure at the moment?—Yes, that was what Dr. Philip always told them; to live in peace with the colony, and to state their grievances.

4661. At this interview were any other individuals present except the Caffre chiefs and Dr. Philip?—Yes, there was Mr. Tredgold and Mr. Read; and Mr. Read said the same thing that Dr. Philip had said to the Caffres; and Mr. Kayser was also present.

4662. Was Captain Bradford there?—I do not know the name.

4663. Was there any other gentleman present?—Mr. Brownley was there; I think there was another gentleman present, but I do not recollect his name.

4664. Did you ever hear Mr. Read say anything to irritate the Caffres against the colonial government or the colonists?—No.

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4665. Do you think that the missionaries in Caffreland have always employed their influence in preventing depredations upon the colony?—Yes, this is what the missionaries always tell the Caffres; but then the Caffres say to the missionaries, "How do you come and teach the Caffres; why do you not go and teach your own people, who shoot us every day and take our cattle."

4666. Have you seen many of the missionaries that have lived in that country?—Yes.

4667. Were you acquainted with the late missionary, Mr. Williams?—Yes, I lived with him.

4668. Did his labours produce a powerful effect in Caffreland?—Yes; most of the people who now belong to Chumey, Lovedale, and Gezalar, of the Scottish Society, lived at the station with Mr. Williams; the Word of God had made great impression upon the people at that time.

4669. Did the missionaries instruct the people or the Caffres?—Yes.

4670. In what did they instruct them?—They instructed them in the Word of God, and they told them to be better men.

4671. Did they teach them to read?—Yes; some of the children who were then in our school, and who were in my class, could read the Bible.

4672. Did they teach any of them to write?—Yes, they taught them to write; but the commando of Colonel Frazer put a stop to their labours, and since that time the commandos have continued, and the people have not been able to learn.

4673. Did you learn to write?—Yes, I can write.

4674. It has been stated in a deposition, signed by John Mitford Bowker, that you can neither write nor read manuscript; can you read, and can you write?—Yes, I can write in Dutch.

4675. Will you write in Dutch, "God save the King," and sign your name to it.

[*The Witness wrote the same upon paper, which was shown to the Committee.*]

4676. Mr. *Lushington.*] You have spoken of the labours of Mr. Williams; have the labours of those who succeeded Mr. Williams been productive of equally powerful and visible effects?—The labours of the present missionaries have made some impression on the Caffres, but not equal to that made by those of Mr. Williams.

4677. Can you mention anything which you think has tended to prevent the labours of missionaries from producing greater effects in your country?—The Caffres say, "We might learn if we were not teazed every day; why have not we such times as we had when Mr. Williams was at the Kat River, when everything was quiet."

4678. What do you mean by being teazed every day?—I mean the patrols for the Caffres would not come and take a permanent residence at the stations; at that time Gaika would come and live with us two months, with his son Macomo, on the Kat River; but since that time the Caffres durst not sleep at any other place.

4679. Have the missionaries who followed Mr. Williams inculcated the observance of peace and harmony with the same force as he did?—Yes.

4680. Do you think that the state of irritation and excitement which the commando and patrol system has kept up in Caffreland has prevented the people from giving that attention to the instruction of the missionaries which they might otherwise have done?—Yes; whenever the missionaries preach to the Caffres, or whenever I myself preach or speak to my countrymen, they say, "Why do not the missionaries first go and preach to the people on the other side; why do not they preach to their own countrymen, and convert them first."

4681. If peaceable relations and a good understanding between the Caffres and the colony were established, and if a state of tranquillity were restored to the Caffre nation, do you think that they would gladly receive missionaries, and attend more to their instructions than has hitherto been the case?—Yes.

4682. Had the mission among your own tribe made any considerable progress before the late hostilities broke out?—Yes.

4683. Had the missionaries established any place of worship there?—Yes.

4684. How many?—One church among my own tribe; and then Mr. Ross had a station in the neighbourhood.

4685. What

4685. What was the capacity of that place of worship?—It was great; much longer than this room.

4686. How many persons would it accommodate?—Three hundred; and some of the people would sit under the trees on the outside.

4687. Did that number of persons usually attend Divine service on the Sabbath?—Yes.

4688. Did the missionaries establish an infant school?—Yes; my daughter was the teacher of an infant school.

4689. How many children were there in that school?—About 100.

4690. Was there any school for older children?—Yes.

4691. How many scholars were in that school?—Between 30 and 50.

4692. Who were the preceptors in that school?—Mr. Brownley, the missionary.

4693. Do you recollect travelling in the company of an escort from King William's Town to Fort Wellington, that is from the Buffalo River towards the Kye, in the month of April 1835?—Yes.

4694. Do you recollect the circumstance of a Caffre firing a shot from the top of a hill upon that occasion, and then calling out to the escort?—I do not recollect that the Caffre fired and then spoke.

4695. Do you recollect his firing at all?—No.

4696. Did you hear the Caffre speak at all?—Yes.

4697. What did he say?—What I heard was this; the Caffre said, "Why do you shoot us, and take away our cattle. Where is the good governor that was coming, that Gongola told us of?"

4698. If you heard the Caffre speak, of course you could have heard the report of his gun, if he had fired?—I should have heard the report of his gun much better than what he said.

4699. You are satisfied then that he did not fire upon that occasion?—I do not know of any Caffre having first fired a gun and then spoken when I was present. I did not hear the Caffre fire.

4700. Do you think it possible that the Caffre could have fired without your hearing it?—No, any one must have heard the shot; or he must have had powder that one would not hear the noise of, something like an assagai.

4701. Did the Caffre fire at all?—No.

4702. Was Mr. Atherston in company at that time?—Yes.

4703. Did you hear what the Caffre said, or did you ask Mr. Atherston what the Caffre said?—No, I did not ask him.

4704. Did Mr. Atherston make any observation?—I heard him speak in English when the Caffre said, "Where is the good governor that Gongola told us of?" They said, "He, Gongola, must know something about the war."

4705. Who said that?—Mr. Atherston, and those people.

4706. What reply did you make to Mr. Atherston?—I did not say anything.

4707. Did Mr. Atherston inquire then what the Caffre said?—Yes.

4708. What answer did you make?—I said, "I hear what the Caffre said, but I do not understand what he says."

4709. In what language did Mr. Atherston speak to you?—He spoke Dutch.

4710. Supposing that that shot had been fired, would you have been of opinion that it had been fired at the English, or merely to excite their attention?—I cannot say anything about that. If they say that a shot was fired, I did not hear it; perhaps some one might have seen the flash, and not have heard the report of the gun; they did not tell me at the time that they had heard the report of a gun.

4711. Did the Caffre say anything to you about Mr. Read having held a great meeting of the Caffres, and having said to them that the English were gradually taking away all their land; and that, if they did not stand up and make resistance, the English would not leave the Caffres ground upon which to stand?—No; if such a meeting had been held, I was the first man to have been there.

4712. What is your reason for thinking so?—I have been educated by that society, and that society has more influence over me than over any other Caffre chief.

4713. Mr. *Bagshaw.*] Did you not tell Mr. Atherston that you had heard a report of that kind?—No.

4714. What is the distance between your location and Mr. Read's station?—It is far.

4715. How many days?—Two days; if you ride it in one day, it would kill the horse perhaps.

4716. Then was not it possible for things to occur at Mr. Read's station which

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you could not be aware of?—No; if Mr. Read wanted to speak about war he would have told me also.

4717. Was not it possible for the chiefs, Pato and Macomo, and other chiefs, to meet at Mr. Read's to talk on subjects connected with the colony, and yet you not be acquainted with it?—I do not say that there is not a possibility of the thing; but if there is such a thing let it be stated.

4718. Mr. *Lushington.*] It is reported that you have mentioned having before heard of the communication made by Mr. Read to the Caffres, which has been referred to; that you thought there must be some foundation for it, otherwise the Caffres would not have said so; they would not have invented those stories to injure Mr. Read, who was their friend?—No, I did not say so.

4719. Mr. *Baines.*] Were not you generally the medium of communication between Mr. Read and the Caffre chiefs?—I was there when Mr. Read spoke with the Caffres.

4720. Were you the interpreter between Mr. Read and the Caffre chiefs?—When Mr. Read comes into Caffreland, to the schools, then I always interpret for him.

4721. Mr. *Bagshaw.*] When Mr. Read was spoken of, was not it under the designation of Isamgolo?—Yes; Gongola, and the name of the governor.

4722. Were you employed as interpreter between Mr. Biddulph and the Caffres?—No.

4723. Who was?—One of Pato's men was the interpreter.

4724. Are there a great number of men, who belong to the Caffres, who understand the Dutch language?—Yes.

4725. Which of the chiefs you have mentioned, in the course of your examination, speak Dutch?—Kama and Macomo understand a little Dutch, but not much.

4726. So as to be able to make themselves understood in conversation with the colonists?—Yes, a few words.

4727. Mr. *Lushington.*] Do you remember riding with Mr. Atherston, near King William's Town, in April 1835?—Yes.

4728. Did he not upon that occasion ask you who was the author of those letters which had appeared in your name in the Cape newspaper?—Yes.

4729. What was your answer to that question?—I told him I wrote the letters myself.

4730. Did Mr. Atherston ask you whether Mr. Brownley, the missionary, wrote the letters which appeared in your name?—Yes. I said, "No, Mr. Brownley did not."

4731. Did Mr. Brownley assist you to write those letters?—No.

4732. Had Mr. Brownley anything to do with the letters, either in writing or translating them?—No, Mr. Brownley had nothing to do with the letters.

4733. Did you employ any person to write and translate those letters for you?—I wrote in Dutch, and employed some one to translate those letters.

4734. Have you any objection to mention who that person was?—Mr. Read translated them.

4735. There are two Mr. Reads; which of the Mr. Reads did you employ?—The young one.

4736. Mr. *Bagshaw.*] You composed and wrote those letters yourself in the Dutch language?—Yes.

4737. Without assistance from any one?—Yes; my wife assisted me.

4738. Does your wife write?—Yes.

4739. Who wrote them, yourself or your wife?—My wife wrote, and I wrote.

4740. How long were you composing those letters?—About two or three weeks.

4741. Then the letters were sent to the Cape of Good Hope for insertion in the Cape newspaper, translated into the English language by Mr. Read, junior?—Yes.

4742. Mr. *Lushington.*] How long did you reside near Peddie, where Mr. Bowker was resident?—I lived for three or four months near to Mr. Bowker's residence.

4743. Did you often communicate with him?—Yes, we used to come to him; whenever we lost any cattle we would tell him of it.

4744. Was he in your confidence?—He was appointed; it was said, that all we wanted to do we should go to Mr. Bowker to do it for us.

4745. Did he often read and write letters for you?—No; the missionaries who went below (meaning the American missionaries) wrote a letter to me; this letter was addressed to Mr. Bowker; Mr. Bowker opened the letter before I saw it, and told me the contents of the letter; that is, that the missionaries wanted to see me at Graham's Town. And then, again, another time a letter was addressed to Mr. Bowker for me, directed to his care. Mr. Bowker told my son, who had been

at

at his place, to tell me that there was a letter for me. He then opened this letter also, and told me the contents of it.

4746. Then no doubt existed in your mind that Mr. Bowker can both read and write?—No, I had no doubt upon that subject; but I thought that these letters that Mr. Bowker speaks of were Mr. Bowker's letters, and that as something was said about me in those letters, as he opened the letters, Mr. Bowker should have sent my letter to me, and I should have come back and asked him to read this letter for me, if I could not read it myself.

4747. Did you ever take your letters to him that he might read them?—Never; these letters are the only ones that I know.

4748. Why did you ask Mr. Bowker; was it because you could not write yourself?—I could write; but Mr. Brownley told me that, if I wanted anything from Graham's Town, meal or anything else, Mr. Bowker would send a note to Graham's Town for me.

4749. Why did Mr. Brownley give you that advice?—I do not know myself; I thought, does not Mr. Brownley trust me; or what is it?

4750. What was your reason for visiting this country?—I came to see this country about these things, and about my place, which has been taken from me.

4751. What do you mean by "these things?"—These things that you have questioned me about, the day before yesterday and to-day.

4752. Did any person in the colony recommend you to come over for that purpose?—I had a desire to come to this country, as I heard that the people in England would listen to a case. In the colony there is no one to whom I can speak or appear before.

4753. Did any of your friends among the missionaries suggest to you to come over to this country, in order to give information to the English gentlemen?—I heard that Dr. Philip was coming home to England. When I heard that, I took my horse, and I said, "I will go to where Dr. Philip is, and he can send me back if he pleases."

4754. Did Dr. Philip invite you to accompany him?—No. When I heard that Dr. Philip was going to England, I was anxious myself to go.

4755. Did you ask Dr. Philip for permission to accompany him, or did Dr. Philip invite you to go with him?—I asked Dr. Philip.

4756. Did you come to England in the same ship with Dr. Philip?—Yes.

4757. Did you impart to Dr. Philip your intention and wish to give information to the authorities in this country?—Yes.

4758. Did Dr. Philip, or any other person, give you advice as to the manner in which you should conduct such communications?—I asked, "Where do the people complain?" and it was said, "In the Parliament."

4759. Did Dr. Philip, or any other person, give you any advice as to the manner in which you should communicate your complaint?—Yes.

4760. Who was it, Dr. Philip?—Yes.

4761. Did you ask him?—Yes.

4762. Did Mr. Read, junior, come over in the same ship with you?—Yes.

4763. Had you any conversation with him, or with any other individual, regarding the proceedings of Parliamentary Committees?—Sometimes we would enter into conversation, whenever I put the question, "What kind of people are these, and how do they ask; what do they do?"

4764. When you were summoned to attend this Committee, was that summons unexpected by you?—I expected it.

4765. Mr. *Bagshaw.*] Did you not come to England, understanding that this Committee was sitting, with the view of being examined before it?—Yes.

4766. You were told at the Cape of Good Hope that a committee of this sort was sitting?—Yes.

4767. Who told you?—I saw it in the newspapers.

4768. Mr. *Lushington.*] Did you ask any advice as to the mode of examination in these Committees, and how you should give your answers?—I did not inquire, for I knew that those people could not tell me; if they were to tell me that it was so, the questions would be put otherwise.

4769. Mr. *Bagshaw.*] Were not you previously examined upon the questions written upon this paper lying before the Chairman, and answers taken down, before you came to this Committee?—No.

4770. Do you mean that no questions have been asked you since you left the Cape of Good Hope, as to the evidence you should give to the Committee?—Dr. Philip

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Philip merely asked me, "What case do you want to state; what is your case?" and I told him. I merely said that I wanted to speak of this or that thing.

4771. Mr. *Lushington.*] Have you given your answers to the Committee entirely from the impulse of your own mind, of your own unassisted knowledge?—Yes.

4772. Mr. *Holland.*] You said that you were present in 1817, when Lord Charles Somerset had an interview with king Gaika?—Yes.

4773. How did Gaika come?—Gaika was afraid to come; Colonel Fraser wen to meet Gaika.

4774. Was Gaika on horseback?—No, he was on foot.

4775. Had Gaika or the Caffres any horses at that time?—They had horses.

4776. Many?—Not very many; not so many as the Caffres have now.

4777. How many have they now?—They have a great many now.

4778. Had they any goats and sheep?—They had goats, but no sheep.

4779. Have they goats and sheep now?—No, they have goats only.

4780. How did they get those goats?—They bought some of the goats from the traders; and some they got from the colony.

4781. What did they give for them?—Six goats for a big ox, and three for a cow, and two for a young ox.

4782. Have the Caffres increased in numbers and possessions within the last 16 years, when the British settlers arrived?—No.

4783. Neither in number nor in possession of cattle?—No; they are less.

4784. Are not the Amaponda and the Amatambooe Caffres frequently attacked by other tribes?—They fight against each other, and against the nations in their neighbourhood.

4785. To what tribe do you belong?—I belong to the Tindes; but the national name is the Amacosa.

4786. Do you remember, in 1828, that the Amacosa were threatened by another tribe, and that they were saved from destruction by the British army and the colonists marching, at their request, as far as the Anmatty River, and there defeating their enemy, and driving them back?—I saw a commando pass my place; it was said the commando went against the Fitcannas.

4787. Does not your tribe owe their safety to being so near the British settlement?—Gaika, and some others, said that the people were too far.

4788. Do not you know, or have not you heard, that the Amacosa Caffres drove out the Hottentots from all the country west of the Kye, and took possession of it?—No, I have not heard that.

4789. Mr. *Bagshaw.*] Is your father also a Caffre chief?—Yes.

4790. Is he alive now?—Yes.

4791. How come you to be the chief, seeing that your father is alive?—My father is too old; he says "that he cannot speak more, and that I must speak; that he is now an old woman."

4792. How many years have you taken the reins of government?—I have governed since I came back to Caffreland.

4793. How many years is that ago?—Ten or twelve years since.

4794. Were not you taken from Caffreland by Dr. Vanderkemp?—No.

4795. When did you first leave Caffreland, and come into the colonial territory?—I went to Bethelsdorf when my father was living at the Koega.

4796. How were you employed between the time when you left Caffreland till the period when you went into Caffreland again?—I learned to read and to write, and so forth.

4797. At what age did you leave Caffreland?—I cannot say.

4798. Were you 12 years old?—More than that.

4799. You said that 12 years ago you left the colony, and went into Caffreland again; then you must have been probably 23 years in the colonial territory. Will you give a short sketch of your life during the years you were in the colony?—I went to Dr. Vanderkemp at Bethelsdorf. I attended Dr. Vanderkemp to Cape Town at the time that General Janssen was governor, and staid a year in Cape Town; I learned the Dutch language. Dr. Vanderkemp was then pressed at Cape Town, till the English took the Cape; then, when the English came, and made Dr. Vanderkemp free, we went back to Bethelsdorf. I remained there till I went back to Caffreland.

4800. Were you employed by the missionary establishment at Bethelsdorf?—No, I was not then employed by the society; I learned the carpenter's trade.

4801. Did

4801. Did you not work for other persons, settlers and boors, as a carpenter?—Yes, I made a tong for Mr. Philips's waggon, and I made a wheel for Mrs. General Campbell's waggon. I made tables and windows, and door-frames and doors for the settlers, and other people.

4802. During the whole of this period you were not employed as a teacher under the missionaries?—No, except a short time that I was with Mr. Williams as interpreter at the Kat River.

4803. Since your return to Caffreland, have you not considered yourself in some measure a missionary, under the missionary establishment at Bethelsdorf?—I was an assistant to the mission at my station; and my people looked up to me for advice.

4804. And you consider yourself at this moment as an assistant to the mission?—Yes.

4805. You have taken the oath of allegiance to the King?—Yes.

4806. Are you a field cornet at this moment?—Yes.

4807. Under such circumstances did you get permission of the colonial government to come to this country?—Yes, I got permission from Colonel Smith to go to Cape Town, and when I came to the Cape I got permission from the governor to come to England.

4808. Colonel Smith gave you a pass through the colony?—Yes.

4809. Where was Dr. Philip when you first heard of his intention to come to this country?—He was at Cape Town.

4810. Who accompanied you across the colony to Cape Town?—Mr. Stoffle.

4811. In the course of the examination, in recounting the conversation that took place between the missionaries and the Caffre chiefs, in which the missionaries begged the chiefs to think of peace and not of war, to be good subjects, and to teach their children to read and write; you said that they answered. "But how can we take this doctrine, seeing that you come into our country and kill our subjects," and so forth: how many Caffres have been killed by the English within the period of your recollection, putting the late war out of the question?—I cannot tell the exact number; I can only speak of those Caffres that were killed when I was present, or that I know of in Major Fraser's commando.

4812. How many were there;—Eight Caffres were shot, and one boy.

4813. Have not those commandos and those patrols that are reprobated so much always, originated in thefts committed by the Caffres on the British settlers?—I do not deny that the Caffres steal; but when the Caffres steal, and we send back the stolen cattle, the people are dissatisfied with what we send back, and ask for other cattle, and ask again for other cattle, and ask again for other cattle.

4814. Do you mean to say that you send back the exact cattle that were stolen, and that the colonists are not satisfied with them?—Sometimes we have sent them the same cattle; they take the cattle, but come for some other cattle again.

4815. Can you point out one instance where the same cattle were returned to the colonists, and the colonists were not satisfied?—Yes. The Caffres stole two oxen from Southey; they killed one ox; they paid four head of cattle for the one ox that was killed, and the remaining ox. They caught the thief, and took him to Willshire, and Southey came back and asked payment. We said, "Go to Willshire, the thief is at Willshire; the four head of cattle for the ox stolen, and the remaining ox are at Willshire." He said, "No, I want payment for my ox that was killed," and he got 10 head of cattle.

4816. From whom?—From the Caffre.

4817. From what Caffre?—Gagy.

4818. Did the Caffre make any representation of this to Fort Willshire?—The thief was taken to Willshire with Southey's four oxen.

4819. How did Southey get the 10 head of cattle?—He said, "If you do not give me 10 oxen, Somerset will come and bring a commando.

4820. And upon that threat he got the oxen?—Yes.

4821. Did not the Caffre make a complaint to Fort Willshire before he gave up the 10 oxen?—No; the Caffres said, "We caught the thief that stole your cattle, he is at Willshire, and we sent you four head of cattle and the remaining ox, and they are at Willshire.

4822. Mr. *Lushington.*] What rank did Southey hold?—I do not know what rank he held; I knew his name as a settler.

4823. *Chairman.*] Was he the man that shot Hintza?—No, I do not think that is the man that shot Hintza, it must be the little one that shot Hintza.

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4824. Have you known cases in which Caffres stole cattle for which other Caffres were visited by a commando, and made to pay for the cattle which the thieves had stolen?—Yes; I will mention one. The same Southey lost four horses; he followed the track as far as Kallaty's place. It got dark when he got to Kallaty's; they had the track then. He slept at Kallaty's place; it rained that night, and the track was effaced by the rain. He went back to the post, and an officer came and took Kallaty's cattle. Kallaty said, "How is this, you came to sleep at my place, and I was to have accompanied you on the track, how is it that you bring these men to seize my cattle." He said, "The rain has effaced the track at your place." Kallaty said, "Is it my fault that it rained; did I bring the rain; must I suffer because the rain effaced the track?" And the horses were found at another place; 16 head of cattle, and one assagai were paid for the four horses.

4825. Did the Caffre whose 16 cattle were taken ever recover those cattle?—No; when Kallaty found that another man had Southey's horses, he went to Mr. Southey. Southey said, "I will not give the cattle back; but they gave this man eight head of cattle that never belonged to him."

4826. Is it a cause of deep complaint and dissatisfaction on the part of the Caffres that the innocent are sometimes punished for the guilty?—In order to prevent stealing, wherever the Caffre chiefs can discover a thief, they punish him most severely; but the patrols support the thieves, for they make the innocent suffer and not the thief.

4827. Does it continually happen that the innocent do suffer instead of the guilty?—When the thief is discovered the innocent do not suffer, but whenever the thief escapes the innocent suffer.,

4828. Mr. *Bagshaw.*] Where did Mr. Southey live?—On the Fish River.

4829. What is the place called?—I do not know the name of the place; it is near Trumpeter's Drift.

4830. Where were you located?—I was at the Buffalo.

4831. What is the distance between those two points?—Southey was far, but the Caffres that stole were not very far from my place; some of Gaika's people.

4832. What is the distance between the Buffalo and Trumpeter's Drift?—About two days; you might ride it in one day upon a strong horse.

4833. Then, in consequence of the distance between the two places, it is presumed that all you have told the Committee regarding Mr. Southey's affair you have merely learnt from hearsay evidence?—I heard it when the Caffres came to me to complain.

4834. Do you know Mr. Donovan, of the Cape Corps?—I do not know him. If he is here I could tell whether I knew him or not.

4835. Do you know that gentleman, [*a gentleman in the room*]?—I do not know that gentleman.

4836. Do not you know that Captain Donovan commanded at the post close to Trumpeter's Drift, at the period when this occurrence took place you have mentioned?—No.

4837. Mr. *Lushington.*] Did Macomo ever learn a trade?—I do not know; I do not believe he did.

4838. If he had an opportunity of learning it, do you think he would have had any objection to doing so?—No, he would have learnt a trade.

4839. He would not have thought it any degradation to learn the trade of a carpenter?—No, he would not.

4840. It would not have been considered contrary to the dignity of his station as a chief?—No.

4841. Mr. *Baines.*] Have any other of the Caffre chiefs besides yourself learnt a trade?—I do not know any other.

4842. *Chairman.*] Do you keep any journal or memorandum of your own?—I have not got one in this country, but I used to keep one at home.

4843. Mr. *Bagshaw.*] Were you aware of the affidavits that have been made by Mr. Atherston and Mr. Bowker, at the Cape of Good Hope, and the contents of them?—No, I was not there when they were made.

4844. Then you never heard of them?—No.

4845. You had heard that this Committee were sitting, from the newspaper; had you read the Evidence given before this Committee?—I heard of it.

*Lunæ, 27° die Junii*, 1836.

MEMBERS PRESENT.

Mr. Fowell Buxton.
Mr. Bagshaw.
Mr. Hindley.
Mr. Andrew Johnston.
Mr. Holland.
Sir George Grey.
Mr. Baines.
Mr. Charles Lushington.
Mr. Wilson.
Sir Rufane Donkin.
Mr. William Gladstone.

MR. FOWELL BUXTON, IN THE CHAIR.

*John Tzatzoe*, called in; and further Examined, through the interpretation of Mr. *James Read*.

*John Tzatzoe.*

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4846. Sir *Rufane Donkin*.] YOU have stated that you have resided within the colony of the Cape for some time?—Yes.

4847. Did you live with Dr. Vanderkemp from the age of 10 years, and were educated by him?—Yes.

4848. Is your father alive?—Yes.

4849. Are you not a missionary?—I assist the missionary.

4850. Are you a missionary yourself?—I say what I do; I sometimes preach.

4851. Do not the other Caffre chiefs mistrust you, from your having changed your religion, and become a missionary?—No; they have the greatest confidence in me.

4852. You are on good terms with the other chiefs, notwithstanding your being a missionary?—Yes.

4853. Where do you preach; in the colony, or to the Caffres, or both?—I preach among the Caffres, and I preach to the Hottentots and boors, if I can find them.

4854. Do you appear before the Committee here as a missionary, to advocate the cause of the Caffres?—I sit here as an assistant missionary, and a Caffre chief.

4855. Mr. *Gladstone*.] Who desired you to preach?—When I felt the power of the Word of God, I went to the boors, and to the Hottentots, and I preached what God had done unto me; and so the missionaries engaged me, and said, "You can do that work."

4856. *Chairman*.] Do you believe that, for all the injuries which Europeans have done to the natives of Africa, a recompense may be made, in the shape of Christian instruction?—This is not my part to say; I come here to complain.

4857. If your people were all made Christians, and instructed in agriculture and the arts, which Europeans have introduced amongst them, would not that be a recompense for the wrongs which your people have sustained?—Yes.

4858. You say that you come here to complain; are the Committee to understand that your complaint is that, where an European loses his cattle he goes into Caffreland and seizes other cattle, not from the person who stole them, but from an innocent individual?—Yes.

4859. If a Caffre loses his cattle, and knows that Mr. Philips (a colonist), did not steal his cattle, if he went into the colony and took as many cattle from Mr. Philips as the thief had stolen from him, what would you call that Caffre?—If Mr. Philips did not steal his cattle, I would call that Caffre a thief.

4860. Supposing an European loses his cattle, and he knows that Tyalie did not steal them, but he goes to Tyalie's kraal and takes as many cattle as the thief had stolen from him, what would you call that European?—I would call him a thief. Why should he take cattle from a man who never was a thief.

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4861. You think that if a Caffre, having lost his cattle, takes property from an European who did not steal them, or if an European, who has lost cattle, takes property from a Caffre who did not steal them, that in both cases the man that does so is a robber?—Yes, I would call them both thieves.

4862. If the Caffre government patronized the Caffre in committing that robbery, or if the European government patronized the European in committing that robbery, do not you think that both of them would be most justly complained of?—I would say that such a government is a thief.

4863. Do you think that the government would be at all more excusable because it sent a body of its troops in order to participate in this theft?—The government must first make inquiries before it sends in troops.

4864. You would not object to its catching the thief and punishing him; but you do object to an innocent man being obliged to give up a portion of his cattle?—Yes.

4865. Has any portion of your land been seized by the government?—Yes.

4866. What was the extent of land that was taken away from you?—Mr. Young knows the localities, and he would know the extent. I could say how far my country extends, but I could not say how many miles.

4867. Did your own residence and the mission premises stand upon the ground that has been taken away, and upon which King William's Town now stands?—Yes; the house that Colonel Smith now occupies was Mr. Brownley's, and my house is their stable at present.

4868. What reasons did they give to you, who was an ally of the British Government, for taking away your land?—There was no reason that I know of, for they did not speak to me to tell me why they took the country.

4869. Do you consider that it was a very great hardship that they took your land, you being at that time fighting on their side?—Yes.

4870. What was the number of Hottentots that were in Caffreland before the war broke out?—The Hottentots that were in Caffreland belonged to the missionary stations in Caffreland. There were 14 Hottentots belonged to the colony at Mount Coke and Wesleyville; and those who were with us at our station were in the service of the society.

4871. It is not true then that the frontier tribes are inundated by troops of idle Hottentots?—The Hottentots that I know were those that went in with the traders, those that were at the missionary stations.

4872. Is it true or untrue that the presence of those Hottentots in Caffreland is most injurious to the good understanding which at present subsists between the Caffres and the colonists?—It is not true.

4873. Mr. *Gladstone.*] Did you ever complain of the hardship you suffered in the taking away your land?—No.

4874. Why did you not complain?—I did not complain because the town was built without my being consulted, and a place was appointed to me where I was to stay, without my being consulted. Then I said, "I will stay near the town;" and the governor said, "No, you must go to a greater distance from the town;" and I thought, this is enough.

4875. Did not you come to this country for the purpose of complaining?—Yes.

4876. Why did not you complain to the governor at the Cape before you came here?—I thought it was enough that the governor knew that I had no part in the war, that I was not guilty, and he should have known that.

4877. Do not you think that the governor would have done you justice, if you had made your complaint known to him?—No, he would not have done it, as he took the ground without having any right to it.

4878. Did you ever ask the advice of any friend, whether you should complain to the governor, or whether you should come here?—No.

4879. But you made up your own mind, when wrong was done to you, that you would make no complaint to any party upon the spot, but come to England to complain?—Yes.

4880. How came you to think that the government in England would be more ready to do you justice than the government at the Cape?—Because, from the time of Dr. Vanderkemp to this time, the missionaries used to tell us that the good people and right people were here, and that justice was here.

4881. Had not you heard that the governor of the Cape was very anxious to do justice to all the native people?—Yes, I heard so, but he did me no justice.

4882. How could he do you justice if he did not know of the wrong that had been

been done to you?—Then he should have told me, "I take your country from you, but I will give you another country; I want your country."

4883. Are you quite certain that the governor knew that your country was taken from you?—The governor was there when the houses were building; the fort.

4884. *Chairman.*] Was he aware that it was building upon land that belonged to you?—Certainly; he must have known it.

4885. Mr. *Johnston.*] In what manner were the governor's orders, as to your removal from your residence, communicated to you?—When I came there the governor was building the fort, and he asked me, "Where do you want to stay?" When the governor said that, I said to myself, the governor it seems is taking my land from me; I said, "I will stay at that little river." The governor said, "No, it will be too near the town." Then I said, "I will go to the Deeby, where Botman and Macomo live." Then the governor said, "I will see, when everything is done and settled."

4886. Then you submitted to the orders of the governor without further remonstrance?—Yes. After the war was over, the governor came to me where I was; the governor said, "You said that you would go to the Deeby, but you had better go above King William's Town." The governor gave me time to think of a place that I would like; and then I assembled my people to think about it, and the people said, "We must take our own river from this side to the other side, as before." The government appointed me a place on this side of the river, and they cut off about three miles more of this ground.

4887. Mr. *Baines.*] Did not the governor know of the wrong that had been done to you?—I do not know that; but he knew that he had taken my country.

4888. Then, was not that the reason why you thought it unnecessary to complain to him?—Yes.

4889. Did not you suppose that in England the wrong that had been done to you was not known?—Yes, I thought so.

4890. Was not the reason why you did not complain to the governor because he knew, and the reason why you came to England because the people here did not know?—Yes.

4891. Mr. *Gladstone.*] Did the governor speak to you face to face?—Yes.

4892. Why did the governor wish you not to live so near the town?—I do not know.

4893. Did he state any reason?—No.

4894. Mr. *Bagshaw.*] You stated that your tribe consisted of 2,000 persons?—Yes.

4895. How many were you enabled to muster during the war as fighting men?—When we left our place we had 400, but when we came to Mr. Young's station we sent back part of them.

4896. What was the average number that you were enabled to muster to assist the English?—Four hundred.

4897. What is the name of your tribe?—Tindees.

4898. You were understood to say that you lived under Mr. Brownley?—Yes.

4899. Whom did Mr. Brownley get the place from?—That is my father's ground.

4900. Mr. Brownley got permission from your father to reside there?—Yes.

4901. Not from Gaika?—No.

4902. Mr. *Baines.*] Was your land taken from you in consequence of a treaty?—I do not know.

4903. Were you a party to a treaty by which your territory was surrendered?—No, there was no treaty.

4904. Mr. *Johnston.*] When you returned from the war with your men, where did you find the governor?—The governor came to me where I was residing, between the Keiskamma and the Fish River.

4905. Was that at your own kraal?—No, it was where Pato's kraal was, in Eno's country.

4906. What took place between you and the governor at the time you have mentioned?—Nothing took place that I know of.

4907. Were you asked by the governor, or were you asked by any of your brother chiefs to enter into any treaty with the governor?—No.

4908. When you left the place, did you return home to your own kraal?—Yes.

4809. In what situation did you find the kraal when you arrived there?—I knew

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that they were building the place; but I went to Colonel Smith, in compliance with what the governor told me, that he would appoint me a place.

4910. Do you mean to say that you found your own kraal in the occupation of the English?—Yes; I knew before that it had been taken possession of by the English.

4911. Did the governor give you any compensation for the loss of your buildings?—No.

4912. Mr. *Bagshaw.*] Did you ever make any application to the governor for redress?—Why should I go back to the governor if he takes my things from me?

4913. Mr. *Johnston.*] Were the lands from which the governor removed you cultivated lands, or lands in a state of nature?—He took my own piece of ground that I had cultivated, and my garden, and my trees.

4914. What did he give you in exchange?—Nothing.

4915. In what condition was the new place which the governor appointed to you; was it cultivated or uncultivated?—The place where I am at present is uncultivated.

4916. Were there any fruit-trees in the new place where the governor had appointed you to go?—No; it is a wilderness.

4917. In whose territory was that wilderness?—It belongs to me.

4918. So that, in fact, the governor removed you from one spot in your own territory which was cultivated, to another spot in your own territory which was uncultivated?—Yes.

4919. Mr. *Bagshaw.*] Did the governor know, at the time, that he was committing this robbery upon you?—Yes, I am sure that he must have known it, and therefore I did not speak to him about it.

4920. Mr. *Johnston.*] Did he give you any compensation, in cattle or money, or otherwise?—The governor made us a promise, to all the friendly chiefs, to Kama, Motoa, Partoe, Kobus, myself and Kai, and Koelosie, that he would make them a present after the war was over. If the governor had taken ground from the other chiefs to whom he made those presents, I would have thought, The governor gives us those presents instead of the country.

4921. Did you ever get any present after the conclusion of the war?—Only the cattle that we got when we were going out to fight.

4922. Do you mean to say that you got cattle which had been taken in the war, as a present from the governor?—We got some of the cattle that were taken.

4923. What did you do with those cattle?—I divided them among the Caffres.

4924. Did they take them home, or make use of them while engaged in the war?—They took them home. I divided the cattle at King William's Town; all the chiefs did the same.

4925. Can you state what number of cattle were appropriated to you by the government?—One hundred and twenty-five.

4926. Mr. *Bagshaw.*] You say that you know Mr. Brownley; from whom did Mr. Brownley get permission to reside upon the Buffalo River?—My father and my late brother. I went there with Mr. Brownley.

4927. Did not the ground belong to Gaika?—Not that ground.

4928. Did not the land that was taken away by the governor, in reality belong to the Missionary Society, not to you?—It belongs to me.

4929. Upon all occasions of a patrol going into the country, have not they followed the spoor till they came to the kraal, and then demanded the cattle that were stolen?—They did so sometimes; and sometimes, when they have lost the spoor, they went away, and took cattle from another place, and then the stolen cattle would be found at another place.

4930. But on all occasions they tried to follow up the spoor, and did not demand cattle till they had lost the spoor in the kraal?—Not always so; sometimes it is so, and sometimes not. We are not speaking of spoor that lead into kraals; we are glad when the spoor is traced to a kraal; we speak of those people who lose their property, without being the thieves, being innocent. We say that a thief is a wolf; and if you can find the wolf, you are at liberty to shoot him.

4931. If a Caffre loses cattle does he follow the spoor to the residence of an European settler, or does he follow the spoor at all?—I will not say that the English settlers steal in the same way as the Caffres do, going and taking property; but when they lose the spoor they embrace the opportunity of stealing cattle from other people, and taking more than they really lost.

4932. Then the complaint is, that when a commando or a patrol goes into Caffreland,

Caffreland, they bring away cattle belonging to Caffres who are innocent of the charge of having purloined cattle from the colonists?—Yes. *John Tzatzoe.* 27 June 1836.

4933. Do you know Mr. Atherton?—Yes.

4934. Is not he a respectable man?—I do not know.

4935. Has not he the character of being so?—He is a young man, and I had not much to do with him. If I had known him for any length of time I would be able to say.

4936. Do you know Mr. Bowker?—I know him, but I do not know what sort of a man he is.

4937. Do not you know that he is a magistrate, selected under a commission from the King?—I know that he is in the affairs of the government, and that is all.

*Andrew Stoffel*, called in; and Examined through the interpretation of Mr. *James Read*.

4938. *Chairman.*] ARE you a native of South Africa?—Yes. *Andrew Stoffel.*

4939. Do you belong to the Hottentots?—Yes.

4940. Were you one of the Kat River settlers?—Yes.

4941. Did you live for some years at Bethelsdorf before you went to the Kat River?—Yes, I lived at Bethelsdorf a long time.

4942. What is your age?—Between 50 and 60.

4943. Will you give the Committee a little outline of your life; where did you spend your early years?—We lived in the mountains till the missionaries, Vanderkemp and Read, came amongst us, then I came amongst human beings.

4944. How many years is it since you lived at Bethelsdorf?—I went to Bethelsdorf, when Dr. Vanderkemp left Graaf Reinet to come to Bethelsdorf; I then left Zuurveldt to come to the missionary station.

4945. You knew Dr. Vanderkemp?—Yes.

4946. Was he a good man?—Yes.

4947. Did he labour hard for the benefit of the Hottentots?—Yes; it was after Dr. Vanderkemp and Mr. Read came among us that we put off our skins and put on clothes.

4948. Was Dr. Vanderkemp the first missionary that came into the part of the country where you were?—Yes.

4949. Where were you living when Dr. Vanderkemp first came to Bethelsdorf?—At Sundy's River.

4950. How did you happen to hear of Dr. Vanderkemp?—A cousin of mine came to our place and told me that there were good teachers who wanted to teach us. We then went to the institution one after another, and we found the place, and I joined the institution.

4951. Were you, before you joined Dr. Vanderkemp, living in savage life, and totally uninstructed?—I was not altogether a savage, for I had been with the white people sometimes.

4952. What was the first thing that Dr. Vanderkemp taught you?—He taught us the Word of God; then he used to tell us that we must thank the English people for having sent us the Word of God.

4953. By whom was the Zuurveldt then occupied?—The Caffres, and part of the Hottentots.

4954. Were there any Dutch boors in the Zuurveldt at that time?—No.

4955. Were there many Hottentots in the Zuurveldt?—There were many in the Zuurveldt, but the Caffres were in possession of the country at the time that Dr. Vanderkemp came.

4956. There were more Caffres than Hottentots?—More Caffres than Hottentots.

4957. Were you born in the Zuurveldt?—Yes; in Zuurveldt, at the Bushman's River.

4958. Did the Caffres and the Hottentots, who were then living in the Zuurveldt, consider themselves as belonging to the European colony, or as occupying the country belonging to themselves?—They thought it was their own country.

4959. Did some part of the Hottentots in Zuurveldt go to Bethelsdorf?—Yes.

4960. In what condition were the Hottentots when the missionaries first came among them?—There was nothing to be done with the Hottentots, they were in a bad condition at that time.

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4961. Has the character and condition of the Hottentots been improved since the missionaries came among them?—Yes.

4962. In what respects have their character and condition improved?—The young people can now read and write, and we all wear clothes; many of us have learnt trades, and are altogether better men.

4963. Have they got any knowledge of agriculture?—We have ploughing, waggon-makers, and shoemakers, and other tradesmen amongst us; we can make all those things except a watch and a coach.

4964. Then you consider that the missionaries have done a great deal of good amongst the Hottentots?—Yes, they have done much good, and they have tamed the Hottentots.

4965. What is the evil that the missionaries have done to the Hottentots?—I do not know what evil the missionaries have done; but it is perhaps because they have taught them to make bats, and taught them other trades, and they have taught them to read and to write, and to use the pen.

4966. Do you consider that teaching them those things has done them good or done them mischief?—It has done them good.

4967. Have other Europeans, besides the missionaries, done much to improve the aborigines of South Africa?—Not the least.

4968. If they have done them no good, have they done them any harm?—They have done them evil, but they have not done them the least good.

4969. What evil have they done?—They have beaten them to death, and otherwise ill-treated them.

4970. Do you think that the Hottentots have been much diminished in their numbers since the Europeans went amongst them?—Yes, they are almost done; the missionaries picked up a few, and they are increasing now.

4971. Then are the Committee to understand, that where they have been left to Europeans in general, their numbers have decreased; but where they have belonged to the missionary institutions, their numbers have increased?—Yes.

4972. Do you think if they had all been treated in the same way as the missionaries treated them, that, instead of gradually decreasing, there would have been generally an increase of their numbers?—Yes, and they would have lived better and made much improvement.

4973. Can you at all state the numbers of the natives that there were in the Zuurveldt, when you first knew it, and the number of natives that there are at present?—I could not say how many there were at that time, but there were some of them who were then come from Graaff Reinet and other parts.

4974. When did you go to settle at the Kat River?—In 1829.

4975. Was that at the time that the settlement commenced?—Yes, I was with the first people who went there.

4976. What were the circumstances of the people who went to settle at the Kat River?—When we first went there we suffered much want and hunger, but we still worked and cultivated the land.

4977. Had you property when you went there?—Some had property and some had not.

4978. How did those that had no property live?—Those who had no property used the Caffre melon and the roots of the noose boom.

4979. What were the principal difficulties you had to contend with at first?—When we first went into the settlement the Caffres were rather troublesome to us, and then we had to clear the ground, and to take up the mimosa trees, and cut out watercourses.

4980. On what terms did you generally live with the Caffres?—At that time there was an officer called Warden placed between us and the Caffres, and he was to see on which side the evil would originate, and when the officer was there there was general peace. He was a good man. When that officer was there, whenever the Caffres stole cattle, he would take us on the spoor, and he would follow up the spoor till he got to the kraal of the thief; but he never took cattle from the innocent Caffres.

4981. Have you often gone upon the spoor of cattle?—Yes, I always went on the spoor in Warden's time.

4982. Have you ever lost cattle of which you could not trace the spoor?—Yes, we have often lost cattle among the thorns, and we lost the spoor, and then supposed that the Caffres had taken the cattle, but we found them again.

4983. Have you actually lost cattle and horses which you supposed the Caffres had taken, and which you afterwards discovered that the Caffres had not taken?—Yes,

Yes, I lost horses, and I supposed that the Caffres had taken the horses, but I found them again.

4984. Did you see any of the Kat River settlers get more cattle than they had lost?—No; if a Caffre stole five or six head of cattle, or any other number, we would only get back the five or six head of cattle.

4985. When cattle had been stolen from the Kat River, and when you trace the spoor, to what chief did the villages generally belong where you found the cattle?—To Chusa's Caffres.

4986. Did you ever trace stolen cattle to Tyalie's kraal?—Botha once lost an ox, and we went on the spoor of this ox, and it was traced down the mountain into Tyalie's part of the country. The Caffres wanted to pay two oxen for this ox; Mr. Warden was present; and Mr. Warden said, "No, you must only pay one fat ox, like Botha's."

4987. Was that the only instance in which you ever traced cattle to Tyalie's kraals?—Yes; from the Kat River, to my knowledge, our cattle used to go through Gaika's people to Chusa's kraal.

4988. Did you ever trace cattle to the kraals of Macomo?—Never.

4989. Or to those of Botman?—No.

4990. Have you ever been present when cattle were taken from the Caffres, though the spoor had not been traced to their villages?—No, I have not.

4991. Did the Kat River settlers feel themselves in danger when the Caffres invaded the colony?—Yes, we considered ourselves in danger, and we wanted to go up to the post; but the post was abandoned, and we could not go there.

4992. Did the Caffres make an attack upon the settlement at the commencement of the war?—Yes.

4993. How many days was it after you heard that the Caffres had invaded the colony?—Between five and six days.

4994. Was there any resistance made to the Caffres at that time?—Yes, we made resistance; we were also the first who went out against the Caffres, when Colonel Somerset came to the new post after the patrol that took place.

4995. After what patrol?—The patrol which had quarrelled with Xo-Xo.

4996. Who commanded that patrol?—There was a short officer.

4997. How old was he?—I could not say how old he is.

4998. Were the Hottentots ordered out against the Caffres as soon as hostilities were commenced by the Caffres?—An order came on Sunday, and on the same day 200 Hottentots went out.

4999. Did the people readily come forward at this crisis?—Yes, very readily.

5000. Besides those that went into Caffreland with the army, were there any that were left defending the military posts on the frontier?—Yes; but I could not say how many.

5001. How many?—About 50 men were sent to the new post to protect it.

5002. At the time you left the country had the men that joined the army been permitted to return home?—Part of them are still with the army.

5003. Do they remain willingly with the army, or would they be glad to return?—They do not stay there with their own consent, the governor has ordered them out, and many of those people have lands to cultivate, and their lands are not now cultivated.

5004. How long were you with the army?—Three months and 12 days.

5005. What pay did you receive during that time?—I got no pay.

5006. Did you receive any present from the governor?—The governor made us a present of cattle; but all the men did not get cattle; those that got any got one, and some did not get any.

5007. Did the Hottentots at the Kat River suffer much loss by being compelled to join the army against the Caffres?—Yes, we lost a great deal; we lost horses and cattle.

5008. In what state were the people at the Kat River when you left them?—They are busy in repairing their houses and cleaning their water ditches.

5009. Mr. *Baines.*] Was not that at the time that martial law was proclaimed that you were out with the army?—Yes.

5010. Nobody had pay at that time, either the Dutch or the English, had they?—I do not know whether they got pay; they were discharged before we were; I was on the Kai.

5011. *Chairman.*] Were you ever present when Dr. Philip held a conversation with the Caffres about Gooby?—Yes.

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5012. What took place at that conversation?—The Caffres asked Dr. Philip how it was that a government of another country could beat the man of another country, and spoil his back for him; it was a great disgrace to a man to have his back spoiled; they could not use the man in the dancing parties. Dr. Philip said, "I do not know anything about these things; I am not come here to hear complaints."

5013. Were you present when Dr. Philip had his last conversation with Macomo?—Yes.

5014. Are you sure that was the last conversation that Dr. Philip had with Macomo?—Yes, I am quite sure.

5015. How do you know that?—Dr. Philip then went away to the Cape.

5016. State as distinctly as you can all that took place in that conversation between Dr. Philip and the Caffres?—We were going to Graham's Town, and we outspanned in the waggon-road leading to Graham's Town by Fort Willshire. The Caffre, whose hut had been set on fire the night before, came to the waggon and asked whose waggon that was; we said it is Dr. Philip's waggon; Dr. Philip is going home. This Caffre must have gone home and told Macomo, or else I do not know how it was, but Macomo came to us to the road. But, however, Macomo came to Dr. Philip and thanked Dr. Philip for the advice he had given. Macomo said to Dr. Philip, "I have just been to a meeting at Willshire, and they tell me that they would send out a commando to drive all the Caffres beyond the river if I do not give up a certain number of cattle that they demand." So Dr. Philip said to Macomo, "I am not come to talk to you about commandos, but I will speak to you about the Word of God, and the schools; and that you should bear everything till the governor comes." Macomo said, "Do write a letter to-day immediately to the governor, and tell him to come as quick as he can." The doctor said, "No, if I write now the letter will not be in time, but I will write next post-day;" and Dr. Philip asked him who was the officer that told him so about the commando. He said, he did not know him, but he said some officers were together at Willshire.

5017. Did Dr. Philip advise the Caffres to take up arms against the colony, or did he advise them to continue at peace?—Dr. Philip said, "Macomo, if these men drive you anywhere, and if they drive you about, do not do anything to resist; or if they burn your huts or shoot you, only submit; a good governor is coming, who will, I hope, redress your grievances."

5018. Are you quite sure that Dr. Philip advised them to remain at peace?—Yes, quite sure.

5019. Did Macomo say anything at that time about having had promises of a good governor and a good government for many years before; and did he then appeal to his burning huts?—I do not recollect that he used those words exactly; but he said "See my burning huts; tell this good governor to come as quick as he can, we have long enough heard of such things.

5020. You have said that the Europeans have injured the Hottentots; have any of the boors at any time beaten or injured you?—When the white people began to ill-treat the Hottentots, they ran away to Dr. Vanderkemp, who was then at Graaff Reinet; the boors came to the landdrost; I think it was Meniers and Bresler. These men said "These people are human beings like yourselves; after they have served their time to their master, they can go out and hire themselves to another person." And the boors went back, and they made a commando; and they came to Graaff Reinet, and attacked Graaff Reinet, and shot on the government. The Hottentots came to the side of the government. After the attack on Graaff Reinet the Hottentots ran away back again to the Zuurveldt.

5021. Do you mean to say that the boors attacked the government because they would not permit the Hottentots to be made their slaves?—Yes.

5022. And that that was the cause of the insurrection of the boors against the government?—Yes, it was about the Hottentots.

5023. Have you ever been beaten or injured by the boors?—Yes, I have been beaten.

5024. State any circumstances that have happened to yourself?—I was with my master Englebrack, and one day he sent me out to get his horses, and when I could not get them soon enough, he would beat me most severely, and I ran away and left all my things with him.

5025. Do you consider that yourself and the other Hottentots were treated oppressively by the boors?—Yes; we have had a hard time of it.

5026. Did

5026. Did you consider that the establishment of the Kat River settlement, and the alteration of the law that took place about the same time by the 50th Ordinance, was a great benefit to the Hottentots?—Yes; then the Hottentots began to live.

5027. Have you ever been present with any patrols that have gone into Caffreland?—Yes, with Mr. Warden, from the Kat River.

5028. Have you ever been in any patrols from other parts of the colony?—No.

5029. Mr. *Bagshaw.*] Who was the chief of your kraal on Bushman's River that you first remember?—Rinter; he was the greatest chief amongst the Hottentot nation.

5030. Where was the kraal where you were born?—At the drift of the Bushman's River, above Mr. Ruitenbach's place.

5031. Did you never hear that the boors were in the Zuurveldt before the Caffres were there?—I did not hear that the boors were there before the Caffres in the Zuurveldt, but I heard that they fought together.

5032. Did you never see the walls of the Dutch boors' houses which were destroyed by the Caffres in former years?—On the Graham's Town Hill, right down to the Fish River, but not the Zuurveldt.

5033. You never saw any ruins of Dutch houses in the Zuurveldt?—Near to Graham's Town.

5034. Is that in the Zuurveldt?—Yes, it is.

5035. Then it appears the Caffres drove the Dutch from that particular spot?—They used to fight there from time to time.

5036. Did not the Caffres use to fight with the Hottentots also?—Not in the Zuurveldt.

5037. In other parts?—I cannot speak of what I heard from my ancestors.

5038. Do not you know that as a fact beyond all doubt that the Caffres and Hottentots were natural enemies to each other?—I cannot speak of these things; it is doubtful.

5039. You spoke of the Hottentot nation having been reduced considerably in numbers; were they not reduced in consequence of the wars with the Caffres?—No, it is not in consequence of that.

5040. Never?—No, we were destroyed day after day, till there was no deliverance.

5041. By whom?—By the white man.

5042. Beaten to death?—Tied with a reeme, or cord, and shot.

5043. Will you state to the Committee some of the examples of the sort you have mentioned?—If one of the gentlemen in this room would accompany me back, I would bring him on the spot where I saw a great many of those people killed.

5044. Where was the spot?—It was on the Bruintjes-hoog, at a place called Luiskraal, on the Braak River. This was done by the Commandant Runsberg.

5045. What was the time when that took place?—The time of the boors, and before the English came.

5046. How many years ago?—It was, I think, not long before Dr. Vanderkemp came. When missionaries came, then we began to breathe; and then again when the 50th Ordinance came it bettered still more our condition.

5047. *Chairman.*] Do you consider that the missionaries have been the means of affording protection to the natives?—Yes; as they were white people, they could in some measure protect the Hottentots, and they taught the Hottentots, and they could remonstrate with the other white people and espouse our cause.

5048. Is it, as far you know, the opinion of the whole body of the Hottentots and of the Caffres, as far as you know them, that they are under deep obligations to the missionaries, not only for teaching them but for befriending and protecting them against the aggressions of other Europeans?—Yes; we and they are sensible of our obligations to the missionaries for what they have done.

5049. Mr. *Baines.*] What was the reason that the Hottentots were treated in that cruel way?—I do not know; the white people must know that. I do not know that we gave them any cause to treat us so.

5050. Cannot you imagine what was the cause?—I asked the old Hottentots, "Did you ever do any harm to the white people that they treat us thus?" and the old people said "No, we never did them any injury."

5051. Mr. *Lushington.*] Which white people do you mean, the Dutch or the English?—

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English?—The boors; the English have only come lately, and began at the Sunday's River, when they drove the Hottentots and Caffres from there.

5052. Mr. *Baines.*] Then this cruel treatment was from the Dutch?—Yes; they treated us so till the missionaries came; and when the missionaries took our part, the government summoned them to Cape Town to appear before them.

5053. And since that time there have been no murders of the same kind?—There are no murders, but there has been hard oppression.

5054. Do you know in what year the missionaries came?—I could not say that.

5055. Mr. *Lushington.*] Do you ascribe the cessation of this ill-treatment wholly to the intervention of the missionaries?—Yes; the missionaries being white people stated our grievances to the British Government, and since that time our grievances have been somewhat redressed.

5056. Then in consequence of the representations of the missionaries to the government, that ill-treatment is put an end to?—Yes, it is a little better now.

5057. Mr. *Bagshaw.*] Then of late years, and at present, since the English and the missionaries have been there, the Hottentots and the other natives have had no cause of complaint?—Now it is worse than before; there is now another kind of oppression. They never complained, but now they complain.

5058. Can you state any instances in which men have been killed of late years?—It is not now murder; they do not murder, but it is like a newspaper that you put in the press and press down.

5059. Mr. *Baines.*] Will you explain what you mean by pressing down?—We went to the English Government for protection in the first place, because we expected that these people would have done us good. Now you often see a Hottentot who has spent his days in the service of the government, with only a skin on his back, walking about the streets; we are oppressed in every way.

5060. In what manner do the English oppress the Hottentots?—They oppress them, for instance, in their wages; a man does not earn more than three or five skillings a day. In short they oppress them in every way.

5061. Mr. *Bagshaw.*] In the case of the Hottentots being oppressed, do they make complaint to the magistrates?—Yes; but the complaints of a Hottentot are never well received; he can never come into court and feel himself at home; when he tells his story, he stands as it were as at a distance.

5062. Does he obtain any redress from the magistrate?—In a few cases. He has no one to speak for him. I have been asked, "What is this pressure?" I say, the Hottentot has no water; he has not a blade of grass; he has no lands; he has no wood; he has no place where he can sleep; all that he now has is the missionary and the Bible; and now that we are taught, the Bible is taken away from us, and they want to remove the missionaries from amongst us. And there is another law, the Vagrant Law, that they want to oppress us with, a law that presses down the Hottentots.

5063. How do you know that they want to remove the missionaries?—They have already removed my missionary; I had 12 schools, and those schools have come to nothing.

5064. What was the name of your missionary?—Mr. Read.

5065. Mr. *Gladstone.*] How have they removed the Bible away from you?—There is no one that gets up on Sunday to speak and to explain the Bible, and to preach to us.

5066. Have not you got your Bibles as you had them before?—If you had no English preachers in this country, what would you do with the Bible?

5067. *Chairman.*] Do you mean to say that the substance of your complaint is this; that formerly the Hottentots possessed the land, the wood and the water; but that the Europeans have taken possession of their property, and have therefore reduced them to destitution?—Yes, that is the substance of my complaint; and what the English nation sent us was the missionaries, and we have all resolved to die with the missionaries at the institutions; they are our only friends.

5068. Do they feel towards the missionaries great affection for the instruction they have given them, and the protection they have been the means of affording them?—Yes, I love the missionaries; but the missionaries tell us to ascribe all to the people of England; and I love the people in this country also.

5069. Mr. *Gladstone.*] What redress would you wish to have for the injuries you have described?—In the first place, I want my schools back and my missionaries; the children must be taught. We want education among the Hottentots.

5070. Do

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5070. Do you want the land and the water and the wood back?—I am not man enough, and I do not know where it would lead me, if I were to speak about the land and the water; but I would speak about the other first.

5071. Have not they got land and water and wood on the Kat River?—Yes, only at the Kat River; and I thought so, the first time that government spoke about it, and after we had sown and begun to cultivate our ground, and to grow barley and oats. I hear now, that the government and the Caffres are quarrelling about the ground. We have not ground now; we are now between the Caffres and the government; we must know how they settle this.

5072. Were the people contented and pleased before the quarrel between the Caffres and the government occurred?—At Kat River; we did not speak anything about ground at that time.

5073. Do you mean that you were satisfied at Kat River before that?—Yes.

5074. Mr. *Bagshaw.*] You have said that all the good that was done to the Hottentots was done by the missionaries; have not you heard that other white men, Englishmen, have instructed the Hottentots in trade?—No, I never heard it; perhaps there may be some, or a few.

5075. Are not the Hottentots employed by the English settlers, as well as the Dutch boors, as servants?—When the English settlers first came, the Hottentots said, "Our friends have come;" and they used to work together, to assist each other; but I do not know what to say of them now.

5076. How is it now?—I do not know how it is; but since the Hottentots went to the Kat River, and got ground, it appears that the English settlers are angry about it, and say everything that is bad against us.

5077. Then you never experienced kindness from other persons than missionaries?—I do not know; I did not hear and see it.

5078. Then you never, in the whole course of your life, received any kindness from any person but missionaries?—I never heard that the settlers have done the Hottentots any good.

5079. Did you go from the Kat River to Cape Town to embark?—Yes.

5080. Who sent for you?—A gentleman, a printer from the Cape, came to our part, and I saw him, and saluted him. He said, "I know you;" I said, "I do not know you." "This gentleman," said Dr. Philip, "is going home in about two months."

5081. What is the gentleman's name?—He is Mr. Fairbairn's partner; when I heard him say that, I wished to come to England.

5082. Did you get a pass from the governor?—I came to the governor at the Cape.

5083. Did you see him?—Yes.

5084. What did he say to you?—He said, "As you have come so far, I cannot say anything against your going; you may go."

5085. Did you get a pass from the frontier authorities to allow you to travel to Cape Town?—I came to the military post, and the commander of the post was not at home; and then I informed Mr. Blakeway of my intention to journey for a time.

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*Mercurii, 29° die Junii,* 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Sir Rufane Donkin. |
| Mr. Hindley. | Mr. Andrew Johnston. |
| Mr. Charles Lushington. | Mr. Bagshaw. |

MR. FOWELL BUXTON, IN THE CHAIR.

Mr. *James Read,* called in; and Examined.

*Mr. James Read.*
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5086. Mr. *Johnston.*] WERE you a teacher at the settlement of the Kat River in South Africa?—Yes.

5087. How long have you been there?—From the year 1832 to the beginning of 1835.

5088. Under whose superintendence were you placed?—Under my father, in connexion with the London Missionary Society.

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5089. The school at the settlement where you were located was under the patronage of the London Missionary Society?—Yes, it was.

5090. Is the Kat River settlement on the borders of Caffreland?—It is.

5091. How many schools had you at that place?—Twelve schools.

5092. How many scholars might there be at the schools?—Seven hundred.

5093. How were they chiefly taught?—In English and Dutch; embracing arithmetic, geography, English history, Scripture history, the rudiments of mathematics, reading and writing, &c.

5094. Who were the teachers for the most part?—Native teachers who had been educated in our normal school.

5095. Where is the normal school?—At Philipstown on the Kat River.

5096. Is the normal school also under the superintendence of the London Missionary Society?—Yes, it is.

5097. What tribe of natives did the scholars, to whom you have alluded, belong to?—To the Hottentot, Goua, and some to the Fingo tribe, and Bushmen.

5098. Was there a majority of them belonging to any one of those tribes?—The Hottentots formed the majority.

5099. The Kat River settlement was chiefly composed of Hottentots?—Of Bastards and Hottentots; there is, however, hardly any distinction between them.

5100. Did you find that, so far as your knowledge went, there was a general aptness among those children for being instructed in the elements of religion and general education?—A very great aptness; and from what I have seen, they were inferior to no other class in acquiring any kind of knowledge placed within their reach.

5101. Were all the 10 or 11 schools under your direct superintendence?—Yes, under my superintendence.

5102. Did you visit them at intervals?—I did.

5103. Had you any other than native teachers to assist you in educating those scholars?—No others; they were all natives.

5104. So far as your experience went, are you of opinion that upon the plan pursued in educating those children a great deal of good may be done for the instruction of the natives?—That is my firm belief.

5105. How were the schools supported?—The money was advanced by the Missionary Society, but the people of the Kat River contributed as much as would at the end of the year refund the Missionary Society for the money so given to support the schools; the people with whom the teachers were stationed found them in provisions.

5106. How long is it since you left the schools?—About 16 months since.

5107. Did you leave them in a flourishing condition, or otherwise?—Otherwise; having been recalled from the Kat River in the commencement of the war, we have not had an opportunity of going back to that settlement, and therefore the schools are not of course in the same condition that they were before; but the native schoolmasters are still carrying on the work of education.

5108. When you left the colony they were destitute of any superintendence?—Wholly so.

5109. Then you mean to say that you were recalled by the governor to Graham's Town, with the London missionaries?—Yes.

5110. Are you in the capacity of a missionary yourself?—I am an assistant missionary to my father.

5111. Were there any other schools in the Kat River settlement, except those to which you have alluded; I believe the Rev. Mr. Thomson had an infant school at his own place at Balfour, which was supported by money raised by Captain Stockenstrom; but that support being withdrawn, the school was dropped; I am not aware that there was any other school in the settlement.

5112. Were you at the Kat River settlement when the late Caffre war broke out?—I was.

5113. Will you state to the Committee anything you know about the origin of that war?—I had been to Bethelsdorf with Doctor Philip, and shortly after my return one of the Moravian missionaries came to our station one day, on his way from Beaufort, and told me that an English patrol had had some skirmish with the Caffres, and wounded a son of a Gaika; I think it was the same day that orders were sent to order out about 200 men from the settlement, to join Colonel Somerset, who was then with his troops on the line of frontier; 50 or 70 men were sent to reinforce

inforce the new post, and many of the Hottentots were employed in riding the post, and otherwise employed in serving the government.

5114. Do you recollect the particular time at which this communication was made to you?—I think it was about two or three days before the war broke out.

5115. In what month of the year?—It was December 1834; I think it was the 17th or 18th.

5116. Had you any knowledge of the situation in which the Caffres in your neighbourhood were before that period?—No; I had not the most distant idea that such a crisis was approaching.

5117. Had you any reason to suppose that the Caffres were preparing to invade the colony?—No, such a thing never came into my mind.

5118. The first intelligence you received of the invasion was in the manner you have stated to the Committee?—Just so.

5119. How long did you remain at the Kat River, after the war broke out?—We remained at the Kat River from the 20th of December, that was the first time that we heard of the Caffres having made a rush into the colony, till the 24th of January, and then left it for Graham's Town.

5120. Did the people at Kat River think themselves in danger when the Caffre insurrection broke out?—Yes, they did.

5121. Did they take any steps to protect themselves against any attack?—The people formed themselves into small parties on the Eyland River, at Philipstown, Balfour, and Buxton, and Tambuekilblay, and subsequently into one general rendezvous.

5122. Then they made military preparation, in the expectation of being attacked by the Caffres?—Yes, they did.

5123. Did any attack by the Caffres subsequently take place?—Yes; the Caffres attacked Philipstown on the night of the 25th of December, and carried off about 30 head of cattle, and the men fired their guns all that night; it was so dark that the Caffres could not be distinctly seen; but they made several attempts at the kraals to carry off the cattle, and at last succeeded in carrying off the number as above stated.

5124. Where were you upon that occasion?—I was then at Philipstown.

5125. Did you take any part in this midnight attack?—I took no active part.

5126. Were there any lives lost upon that occasion?—No lives lost.

5127. Sir *Rufane Donkin.*] What do you mean by taking no active part?—I mean to say that I did not fire a gun.

5128. Do the missionaries ever fire guns in such cases?—Not to my knowledge.

5129. Then you only acted as all the other missionaries did?—Just so.

5130. Mr. *Johnston.*] Did the Caffres repeat any attempts of that description?—Not at this place; but they carried off cattle in small numbers from the Kat River settlement, and at a subsequent period they made a formal attack on the settlement, but of that event I cannot speak from personal knowledge, as I had then left the Kat River.

5131. Were there any lives lost during the period you were there, in this Caffre insurrection?—Some Fingos herds were killed by the Caffres, and a son of a field-cornet, Groep, was wounded by the Caffres.

5132. Did this field-cornet belong to the Hottentot settlement?—He did.

5133. Were any Caffres killed by the Hottentots or by the settlers at the Kat River?—I believe they killed some Caffres when the war first broke out on the Mancassana, and I believe also subsequently.

5134. Were those attacks upon the kraals made during the night-time?—Generally during the night-time.

5135. What reason can you give for the Caffres not having renewed their attempts upon such a large scale as that which they had at Philipstown?—Because we had about 300 men armed; and it is a well-known fact, that the Caffres never during the first period of the war made any direct attack upon any body or parties of men that were armed; they generally stood aloof, and never risked a battle.

5836. So far as you know, had the Caffres any reason to suppose that the Hottentots at the Kat River settlement would join them against the colony, or whether they might remain neutral?—Not to my knowledge.

5137. You never heard any of the Hottentots in the Kat River settlement speak favourably of the Caffres, as opposed to the colony?—Never; they all expressed their deep regret at such a circumstance having happened, but I never heard them

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say anything that would lead me to suppose that there was a league between them and the Caffres.

5138. Then you consider the Kat River settlement to be well affected to the English Government?—I do, most decidedly.

5139. Are you aware whether the Caffres had made any calculation upon the Hottentots joining them in this insurrection?—I could not say as to that; I scarcely think they did.

5140. Were you joined by any missionaries at the Kat River previous to your leaving that place?—We were joined by the missionaries of the Glasgow Society from Chumie. Messrs. Chalmers and Weir came to the Kat River in the night, and told Captain Armstrong that he had left the Chumie, as they were in danger of their lives; and this he told me was in consequence of a man that lived upon the brow of the Chumie heights having been fired at, and his property taken by the patrol under Major Birnie; in consequence of which the chief Tyalie had sent word to the missionaries to say that he could no longer protect them, as the man who had been placed there to carry communications to government, and to see that the wandering Caffres did not attack the mission, had been fired at, and he was afraid to send another for that purpose; and that hence they considered their lives in danger.

5141. Did he state any further reasons for having retreated to the Kat River settlement?—Those were the reasons that he stated to me.

5142. Did they express any fear of their lives being sacrificed if they remained at the Chumie?—They did; they said that they were not afraid of the chiefs, but they were afraid of the marauding Caffres who were about in the country.

5143. Was this station of the Glasgow Missionary Society in Caffreland?—It was in Caffreland.

5144. Did any of the Caffres accompany the missionaries when they came down to the Kat River settlement?—They were accompanied by their own people who were living immediately on the station; but on their coming to the Kat River, the commander of the fort sent them all back to Caffreland, and of course those people had to live in the bush, as they could neither join the English or colonial forces, and they would not join the Caffres, so that they were, as they well expressed it, "left between two fires."

5145. Do you know what became of those people?—They went back to the Chumie, or rather, were taken back by the Kat River force.

5146. Did they remain at the Chumie settlement?—They remained at the Chumie settlement for some time, and I believe were then allowed by Major Birnie to come to Fort Beaufort.

5147. Were any of their lives lost?—I am not aware.

5148. How many might there have been of those people that came there with the Glasgow missionaries?—I should suppose between 30 and 40, including women and children.

5149. They were in the situation of assistants, servants and other members of the church at Chumie?—Yes, some "native teachers" and interpreters, and members of the church of Chumie.

5150. You stated that you left the Kat River in January 1835; have you been there since that period?—I have not.

5151. You came to England by Cape Town?—I did.

5152. Mr. *Lushington.*] Was the Rev. Mr. Thomson at the Kat River during the time you were there?—Yes.

5153. He was in the employment of government?—He was.

5154. The inhabitants of that location are composed of Hottentots and of the people called Bastards?—They are.

5155. The people called Bastards were more particularly under the supervision of Mr. Thomson?—I do not think that. I think there were as many Bastards connected with us as there were with Mr. Thomson, which could be shown, if necessary.

5156. How many of the Bastard population do you suppose were under Mr. Thomson?—I should think one-fourth of the population at the Kat River.

5157. How many might that be?—I should think there were between 60 and 80 men, but I could not state the exact number; this includes their families besides.

5158. Were there no schools whatever established by Mr. Thomson?—Not that I know of.

5159. Schools

5159. Schools neither for the instruction of adults nor for children?—Not that I am aware of, except the one that I mentioned that Captain Stockenstrom had established, and I believe a Sunday school for the adults.

5160. Was that under the superintendence of Mr. Thomson?—It was.

5161. What was the number who attended there?—I should think about 30 children when I saw it; it existed but a short time after I went to the Kat River.

5162. Are you satisfied that there was only that one school existing when you were there, under the superintendence of Mr. Thomson?—Yes.

5163. Whence did the remainder of the Bastard population derive instruction?—I could not say that; I never went much among Mr. Thomson's Bastards; I do not know how they received instruction.

5164. But several of them resorted to your school, did they not?—They might have come to our schools if they chose, but they never did so; I mean the Bastards belonging to Mr. Thomson.

5165. If they had come of course it would have fallen within your cognizance?—Certainly.

5166. What was the whole amount of the population at the settlement of the Kat River when you left it?—Captain Armstrong supposed that there were 4,000; others have stated that there were only 2,000. We only, of course, go by the census that the Government have taken; we have never counted them, but the population has been stated in the public papers to be 4,000.

5167. Mr. *Johnston.*] Do you wish to return to the Kat River settlement?—I do.

5168. Was there any obstacle to prevent your returning, after you came to Cape Town?—After we had come to Graham's Town, we sent in a memorial to his excellency, to be permitted to return to the Kat River; his excellency stated, that from the state of things at the Kat River, he would advise us, in common with the other missionaries, to remain at Graham's Town. After being put to much inconvenience in Graham's Town, from the feeling that existed against the missionaries generally, andfor the comfort of our own families, we removed to Bethelsdorf, there to await the arrival of his excellency from the commando. On his return from Graham's Town, on his way to Cape Town, we sent in a second memorial, praying that we might be allowed to return to the Kat River settlement, which his excellency refused.

5169. Did he give any reason for the refusal?—No; for although he was repeatedly urged to give his reasons for detaining us, he merely stated that his refusal was founded upon some information he had obtained at the Kat River, and from other collateral sources.

5170. But he did not communicate to you the nature of that information?—He did not.

5171. Had you any reason to suppose what might be the nature of that information?—I had not the least idea.

5172. Were you present when the Caffre chief, Macomo, was arrested by a military party at the Kat River, in October 1833?—I was.

5173. In what manner was he arrested?—Macomo had been invited to attend a missionary meeting; I, as secretary of the auxiliary society at the Kat River, sent a note to Mr. Kayser, requesting Mr. Kayser and the other missionaries of the Glasgow Missionary Society to favour us with their attendance at the meeting; I requested Mr. Kayser to ask Macomo whether he could be present on this occasion; Mr. Kayser not being able to attend, Macomo came by himself, for whenever Caffre or chief was with a missionary he considered himself as safe, he could come into the colony in company with the missionaries. Macomo came to the settlement of the Kat River on the 6th of October; he stopped the night, and attended the public meeting, made a speech, and after we had left the meeting, and were sitting together, a patrol came down the hill, headed by Serjeant Sant; he came to the infant school close by, where we taking tea together, and called out for the chief; my father went out to him, and he told him that he was come to fetch the chief Macomo, and immediately called out for the chief; the chief came up to him, he immediately ordered his man to load, and to cock their guns; the men did so, and threatened to shoot the chief should he stir. Macomo remained in his position for some time; Serjeant Sant then took out his canteen and offered to give him brandy: this the chief indignantly refused. He said, "I will not have your brandy; this is not the first time you have insulted me in this way,

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but it is the first time you have insulted me in the presence of people, who could bear evidence to the insult."

5174. Was that Serjeant Sant a native or an Englishman?—An Englishman.

5175. Was he in a sober state upon this occasion?—I did not consider him to be so.

5176. Why did you not consider him to be sober?—He rode down a very steep hill most furiously, and one of the riflemen fell down just by the chapel, and one of the horse's legs got sprained, and almost went over two children who were in the way; the appearance of the serjeant left the impression on my mind that he was the worse for liquor; I judged of him by the same rule and in the same way as I do of men in that state.

5177. It was a party of mounted riflemen?—It was.

5178. Will you state what took place further?—Serjeant Sant told Macomo to send his men for the horses, and about half an hour expired between the time that the serjeant came to the place and the time that the horses were fetched. When they were going off, Macomo said, "I cannot go with this man; this man will shoot me on the way; I am afraid to go with him. One of you missionaries had better accompany me, and see what is done to me, for this man will shoot me, and then say that I wanted to make my escape, and therefore some of you had better go with me to see me to the post."

5179. What followed this?—He went away, and my father accompanied him to the post.

5180. And you saw no more of this transaction?—No more.

5181. You have stated that Macomo came down to the Kat River settlement upon that occasion to attend the missionary meeting; do you know whether he had any other reason for coming to the settlement?—No other, to my knowledge.

5182. You stated that the chief made a speech at the missionary meeting?—He did, a copy of which I can furnish the Committee with, if necessary.

5183. Did the chief make this speech in his native language?—In his native language; it was interpreted into Dutch; I have preserved a copy of that speech.

5184. Will you have the goodness to read it?—"My friends, I am very glad to meet you on an occasion like the present; the Word of God has done great things for you; the Word of God has brought you to life again. It was only the other day that you were like dogs, and oppressed; it is the Word of God that has given you these churches and the lands you have. There are no Englishmen at Kat River; they are all in my country with their wives and children in perfect safety, while I stand before you as a rogue and a vagabond, having been obliged to come by stealth. Ye sons of Gayahe Kakobul, I have brought you here to behold what the Word of God hath wrought; the Hottentots were but yesterday despised and oppressed, as to-day are we, the Caffres. But see what the Word of God has done for them: they were dead; they are now alive; they are men once more. Go and tell my people what ye have seen and heard; I hope we long to witness in our own land such scenes as the present. God is great who hath said it, and will surely bring it to pass. I thank the missionaries for what they have done for the Caffres, and I hope that they will listen to the missionaries; and I hope also, that the missionaries will not get tired by the conduct of some of our nation. The time is coming when Caffreland will be covered with missionaries: I have done."

5185. *Chairman.*] Do you believe that those were Macomo's own sentiments?—Yes; and the Rev. Mr. Thomson, who was present at the meeting, said that the speech had, by translation, lost half of its power and beauty.

5186. Mr. *Johnston.*] What was your opinion of Macomo's character for intelligence?—I think he is a most intelligent man, an acute man, a man of great mind, a just man, a man who tried to do everything in his power to discourage thefts, a man who, if he could but sit quiet, as he once called it, would attend to the Word of God. We have never had any cattle traced to his country; a man who is praised by every military officer. I heard Major Birnie say, at Beaufort, on my way to Graham's Town, that if Macomo had been treated by every officer as he had been treated by himself, Macomo might have been made much of, and this war would never have happened.

5187. What did the chief mean by the expression "sitting quiet?"—That he had no rest; he was daily annoyed by patrols.

5188. *Chairman.*] Do you think there is a strong impression among the Caffres that

that they will derive great advantages from their intercourse with missionaries?—Yes, that is my opinion. The Caffres begin to see that they have not the same intelligence (I mean as far as regards books and knowledge) as the Hottentots, and they have often wished to have missionaries like the Hottentots, to instruct them and their children.

5189. Do you think there is generally amongst the Caffres a feeling of considerable gratitude to the missionaries for the political advantages they have procured for them?—They express themselves as under great obligations to the missionaries.

5190. They look upon them as their defenders?—As their friends and protectors, or as they call the missionaries, "our bush."

5191. Do you believe if the British Government had universally treated the tribes of South Africa upon the same principles upon which the missionaries have acted, we should have avoided those wars, and that slaughter which has taken place?—I think so; and we should have had in South Africa a civilized and Christian community.

5192. Do you think it is possible, that under a system of justice and humanity, there would have been an extension of the commerce of the country?—Decidedly so; I think it would be a blessing, in whatever light we view it.

5193. Do you think it would have saved a considerable quantity of that expense which has been caused by the military posts that we have been under the necessity of having there?—I think that a moral barrier would be the best and safest.

5194. So that, whether the question be looked at economically, or with reference to commerce or to civilization, or to the prosperity of the Caffres, or to the welfare of the Europeans, in every point of view you would think a system of perfect humanity and justice the most desirable?—The most desirable.

5195. Were you with Dr. Philip when the Caffres spoke to him about Gobie?—I was.

5196. Will you state all that took place?—We left the Mancassana on the 4th of November 1834; after we had travelled a short distance we fell in with some Caffres; I entered into conversation with them, and asked them about their cattle, and so forth; and the men said, "Now what do you think, is it right that the English Government should beat a man, the subject of a Caffre chief?" This is the first indignity, they said, that had been offered to a Caffre, and they said that when his excellency came, that he should hear it from the lips of every Caffre, and death was preferable to such treatment. Dr. Philip tried to soothe them, and told them that the governor would soon be here, they could then tell their grievances to the governor, telling them at the same time that he was not there to hear their grievances, or to hear complaints against the government, but that the governor was perhaps on his way; he would soon be on the frontier.

5197. Do you mean to say that that was the first insult that the Caffres had received, or the first injury?—It was, perhaps, the first time that a Caffre had been beaten, for it is a great disgrace for a Caffre to be beaten; a man after he has been beaten, at least so the Caffres say, cannot hold up his head in society any more.

5198. Were you present at the last interview that Dr. Philip had with Macomo?—Yes.

5199. You are sure it was the last?—Yes, for I accompanied Dr. Philip as far as Bethelsdorf, 200 miles from Willshire.

5200. What was the date of it?—The 5th of November.

5201. Were you acquainted with the fact that he had received instructions from the governor to treat with the Caffres?—No, I never heard of such a fact; although I travelled with the doctor from Willshire to Bethelsdorf, and stayed with him two weeks at Bethelsdorf, the doctor never intimated to me that he had been sent by his excellency to treat with the Caffres.

5202. You are perfectly certain that during the whole of that time you had no intimation from Dr. Philip that he was charged with any such commission?—Not the least.

5203. What took place between Macomo and Dr. Philip?—Macomo, hearing that our waggon was outspanned near to Fort Willshire, came round to our waggon; when he came to the spot, he said that he had just been to the fort, and that a demand of 480 head of cattle had been made upon him; that he had stated to the officer that he had always given up colonial cattle that had been stolen, and that he was not aware that he was 480 head of cattle in debt to the colony. The

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chief said, "Now, Dr. Philip, when I spoke to you at my place yonder, and when I entered into my grievances, you stopped me abruptly; but see," he said, pointing to his huts that were burning on a small eminence, "see what is doing." The doctor tried to persuade him that the governor would soon be on the frontier. "Yes," said the chief, "we have had these promises the last 15 years." Macomo then said, "How long are we to endure these things? we cannot endure it any longer." Dr. Philip replied, through me, "If they drive you at the point of the bayonet, obey their orders; if they burn your huts, go without murmuring; if they take your cattle, make no resistance." Macomo then said, "I will try what I can do." To show how anxious the doctor was that he should rather submit to his grievances, Macomo said to Dr. Philip, "Will you give me your saddle?" The doctor said, "No, it is not mine; but if you, Macomo, will promise to remain quiet, and take my advice, I will send you a new saddle by the time that you see the governor."

5204. You were present when Dr. Philip gave his evidence here; do you consider that that was a fair and just representation of what passed between himself and Macomo?—Quite fair.

5205. Is it your opinion that the Caffres have had just reason of complaint hitherto against the British Government?—Very great cause of complaint.

5206. Do you consider that by proper measures being taken to protect the Caffres against the encroachment of the Europeans, we may hope that a system of peaceable relations with the Caffres may be maintained, much to the advantage of both parties?—I think that a system of peaceable relations with the Caffres would benefit both parties, and would lay them at the feet of the British Government to-morrow; and not only the Caffres, but all the tribes of South Africa.

5207. Mr. *Lushington.*] You said that the missionaries were not popular at Graham's Town; was that feeling universally applicable to the missionaries?—To the missionaries of the Glasgow and London Missionary Society; at least that was my own impression; for the invectives, not only in the papers, but in common conversation, were generally directed against those two bodies of men.

5208. Not against Wesleyans?—I never heard that they had been.

5209. Since the restoration of tranquillity on the frontier, the missionaries have been permitted to return to their former residences?—They have.

5210. Did they apply for permission?—They did.

5211. Did they all receive it?—They all received it.

5212. Were there no exceptions?—Except in our own case.

5213. Whose case?—Of my father and myself; I do not mean into Caffreland, but to Kat River.

5214. What led to your exception?—I cannot say; we sent in a memorial; his excellency never made any charges against us, but merely said that he had received information, and we were left in the dark as to the charges brought against us; so that to this moment we have never had an opportunity of repelling or denying the charges that his excellency had against us, or clearing our characters to the world.

5215. Was not Gobie tried for an offence committed in the colony, and sentenced by a court of justice to be punished by flogging?—I have heard so, but I am not conversant with the case.

5216. Is it not a fact that might be easily ascertained?—I think it might; I think the case is stated at large in the Commercial Advertiser.

5217. Do not you consider that authentic intelligence of the fact?—I should think so; but I am not prepared to enter into the merits of the case.

5218. *Chairman.*] Would you take it for granted, that because a man in the state of commotion that existed at that time, was sentenced to punishment, that therefore he had been guilty of some very serious crimes?—No, I do not think so.

5219. Are you acquainted with the effect of the 50th Ordinance?—Yes.

5220. Did that generally give great satisfaction to the Hottentots?—Very great satisfaction; they consider that as the charter of their liberties.

5221. Was it considered by them as raising them from the condition of slaves or serfs to that of freemen?—Yes, that is my opinion.

5222. Do you think that that Ordinance was founded upon just and humane principles?—I am decidedly of that opinion.

5223. It was General Bourke who issued that Ordinance?—It was.

5224. Mr.

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5224. Mr. *Lushington.*] Were you not aware that the Caffres, without passes, were not allowed to come into the colony?—No, I was not aware; for this reason, that the Fingoes were in the habit to come from Caffreland, and go to any part of the colony without a pass. They used to pass our settlement without passes, and I never knew of any Fingo or any one coming from Caffreland having a pass, although they came by a military post.

5225. Are you not aware that Macomo was expelled for a transgression of that rule, namely, being without a pass?—It was only then that I knew that it was not allowed for Caffres to pass into the colony.

5226. Mr. *Johnston.*] When any of the settlers at Kat River wish to leave the settlement, did they require a pass?—Not when they went into the colony.

5227. Mr. *Lushington.*] Was not it a matter of notoriety that an order of that description existed, that Caffres could not enter the colony without passes?—Not to my knowledge.

5228. *Chairman.*] Are you aware whether any resolutions were passed at the Kat River, stating that they wished to hold, and did hold, amicable relations with the Caffres?—Yes.

5229. During the last year or two, before the breaking out of the war, did the Caffres and the Hottentots live in vicinity together without mutual encroachments?—Without encroachment; the Hottentots never went into Caffreland without a military officer; and there was no constant communication kept up between them, but when cattle were lost by the settlers, they used to follow the spoor, headed by an officer; but as to encroachments, none were made upon the Caffres by the Hottentots.

The Rev. *James Read,* called in; and Examined.

Rev. *James Read.*

5230. *Chairman.*] ARE you a missionary of the London Missionary Society?—I am.

5231. How long have you been in South Africa?—About 36 years.

5232. During the whole of that time have you been in continual intercourse with the aborigines?—In continual intercourse.

5233. Did you go out to join Dr. Vanderkemp?—I went out to join Dr. Vanderkemp, in Caffraria.

5234. Have you prepared any statement of what has come to your knowledge with respect to the aborigines of South Africa?—I have.

5235. Will you have the goodness to read it?—I went to Africa to join Dr. Vanderkemp, who was then in Caffreland. When I arrived in the colony, the Caffres, Dutch farmers, English and Hottentots, were in arms against each other. The Caffres were in possession of the Zuurveldt. The Hottentots, dissatisfied with the treatment of the boors, had gone thither for protection also. There was not a boor in what is now called Uitenhage, Albany, great part of Somerset, and part of Graaf Reinet; the farmers, who were in a state of insurrection against government, had been opposed to the Dutch government, and were again in opposition to the English. General Vanderleur had been sent down to repel the boors, or to arrest as many as he could, and to drive the Caffres over the Fish River: the last he failed to accomplish; he made a few boors prisoners, and took them to Cape Town. The Hottentots were then in a most wretched condition; they had lost their country, except a few kraals in the Lewellendam district. As to property, some had cattle and sheep with the boors, but could not get them; the greater part of them were in the service of the boors, kept by compulsion, and treated worse than slaves, being without any clothing, without proper lodging, and without medicine when sick. The whole nation was without clothing, with few exceptions, from one end of the colony to the other; without the knowledge of the true God, and could neither read nor write. When the Dutch farmers of Graaf Reinet rose against government, and attacked Graaf Reinet, the Hottentots refused to assist the boors, but fled to the English standard. Peace was restored between the English and boors, but General Dundas, a most excellent governor, was reluctant to give the Hottentots back to the boors, and requested Dr. Vanderkemp and myself to defer our mission to the Caffres, and commence a mission for the Hottentots who might follow us from Graaf Reinet; and advised us in inviting, to invite the Hottentots from the Zuurberg, Sunday River, &c. &c. Sir Carmichael Smith, now of Demerara, &c., was then aid-de-camp to General Dundas, and was sent to Graaf Reinet to confer with Dr. Vanderkemp upon the subject.

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ject. Part of the Hottentots left Graaf Reinet with us, and after we had commenced our mission, nearly the whole of the Hottentots of Zuurveldt, &c. joined us, and became peaceable and good subjects. Dr. Vanderkemp wrote many letters to General Dundas, stating the treatment of the Hottentots from the boors, and represented the miserable state they were in. The general was a most humane man, and promised every protection and every encouragement to improve their circumstances, but the peace of Amiens prevented him from putting his generous intentions into execution, as the colony was then ceded to the Dutch or Batavian government. On the arrival of the Dutch, Dr. Vanderkemp commenced a correspondence with General Janssen, at his (the general's) request, upon the subject of the sufferings, general state of the Hottentots, and continued his representations till they displeased the general, who called him and myself to Cape Town, and refused to let us return to Bethelsdorf, and as we were looking out for a ship to go to Madagascar, the English expedition of 1806 arrived, and gave us our liberty; General Baird was very kind, and allowed us to return immediately, and gave us every aid we needed. The Hottentots breathed for a while, but oppression and cruel barbarity continued. In 1810 I wrote to a friend in England, stating two or three cases of murder and maltreatment that had been related to me, which were published in an English periodical. The Home Government took notice of them, and ordered Lord Caledon, then governor, to investigate the grievances of the Hottentots. Doctor Vanderkemp and I were called to Cape Town, and gave in upwards of 100 murders, with very many cases of maltreatment, and instances of cattle and wages being withheld from the Hottentots. Lord Caledon at once saw the necessity of establishing a court of circuit to administer justice in the distant districts, which was done instantly, and the cases were gone into. The most of the murders had taken place under the former English Government, or under the Batavian Government, and could not, it was said, be punished; and another reason assigned was, that the Hottentots not being admitted to an oath, their evidence could not be taken; nevertheless, some murders committed under the then existing government were proved, and the guilty punished with one year's imprisonment; the maltreatment in some cases was proved, and the perpetrators punished with a fine; and the Hottentots procured a vast number of their cattle, and a great deal of their wages that had been withheld. In 1811, when at Cape Town about the affairs of the Hottentots, Dr. Vanderkemp died. The lands given to Bethelsdorf were barren; the missionaries had no choice, the place was given by General Janssen; yet the Hottentots began to improve rapidly, so that a storekeeper in the neighbourhood stated in 1815 that he received annually from the Hottentots of Bethelsdorf 20,000 rix dollars, or 1,500 *l.* for clothing, &c.; this was besides what they spent elsewhere. After this, the Messrs. Kemp, who had a store upon the place, stated they received annually from the same people about the same sum. Cutting wood, burning lime, gathering aloes (about 40 tons were sent yearly to England), gathering salt, honey, mechanical trades, masons, smiths, carpenters, thatchers, tailors, shoemakers, riding fine wood to Port Elizabeth, and goods for government, and merchants at Graham's Town, were the means by which the Hottentots got their money. The Hottentots of Bethelsdorf proved loyal from the beginning, always ready to obey orders; they were employed in expelling the Caffres from Zuurveldt, under Colonel Graham, and were promised, as they say, a large extent of land if they did their duty; they were active in assisting the English at the time of the insurrection of the boors in 1815; they and the people of Theopolis were on the Ficani commando, but were great losers by the horses that died or were rendered useless on the commando, and by their cattle and horses, &c. being unprotected at home while they were away; they got no pay or other remuneration. Those of Bethelsdorf and Theopolis suffered much by the authorities demanding their services for what was called public work, either without or with very little remuneration. The Hottentot nation is improving; with few exceptions the whole nation is clothed in European manufactured clothes: the Hottentots are said to be about 32,000 in number, but no proper means have ever been used to ascertain their proper number: wages of the Hottentots are very low by the day; at the towns and villages even the strongest and best is 1*s.* or 9*d.* and downwards, except at Port Elizabeth, where there are great exceptions; some there, as boatmen, get from two to three rix dollars per day; at Bethelsdorf the missionaries give labourers 18*d.* a day, without food, or 14½*d.* with food; but among the boors, in the more distant districts the Hottentots get only about 12

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rix dollars a year, or six young sheep or goats, the value of which would be still less. The settlement of Kat River was a great relief to the Hottentot nation, and was likely to prove a great blessing to those that joined it. The Hottentot settlers at the Kat River joined it under great disadvantages, many having little and others no property whatever. After the plan was proposed to government, even the governor and many others were of opinion that only persons of property should get land. I urged the example of the British settlers, who, without exception, got lands allotted to them, and liberty to do with them as they chose, by sale, &c. Many that came to Albany with nothing, are now men of considerable property, and many that came with property have been reduced in their circumstances. Captain Stockenstrom yielded, saying that it was a fact that he, as landdrost, had given hundreds of places to boors and settlers that they had never cultivated, but sold or neglected, and he thought that the Hottentots might have the same trial, and he himself sent in from different parts of the colony very many that had nothing whatever, and the most unlikely persons to succeed. They, however, laboured under great disadvantages; they had nothing to eat while they cultivated their ground, except wild fruits of the earth, Caffre melon, nooysboom roots, wild berries, &c., or what they might get from their friends who were better off. Many of them had no implements of husbandry; some made ploughs altogether of wood, without an ounce of iron upon them, and hired oxen to plough, and gave their labour in return as pay; they were badly off for seed the first year. Captain Stockenstrom procured for some of them a small quantity of seed; what they gained the first year was not half sufficient for consumption and seed for the next year; yet the second year many were able not only to provide for their families, but also to deliver a surplus at the neighbouring military posts for the use of the cavalry horses. The greatest drawback to the settlement was, that the lands were not given out; it was a very laborious work for the surveyor employed, and it was not till the fourth or last year, and before the war broke out, that the greatest part of the people got their lands pointed out to them; so that many of those that had a little property wasted it in helping to assist their friends, being reluctant that they should leave the settlement and lose the land they expected to get. About 600 lots of land, mostly capable of being irrigated, were distributed about six months before the war, and, with few exceptions, the whole or part were cultivated immediately after, and the return would have been very abundant if the war had not broken out: the lots were in size upon an average three morgen or six acres, with the use of the commonage. They had to form dams across the river and watercourses, sometimes to the depth of 10, 12 and 14 feet, and that sometimes through solid rock, and that with very sorry pickaxes, iron crows and spades, and few of them. These works have excited the admiration of visitors. They had to cut roads also on the sides of mountains of considerable height. An obstacle was raised in the beginning to the Hottentots residing alone; a mixture was recommended of Dutch and English. The Hottentots begged and prayed to be left alone for a few years, and Captain Stockenstrom entered into their feeling, and said to them, "Then show to the world that you can work as well as others, and that without the shumbok." They could not make any other than temporary houses till their lots of ground were distinctly pointed out to them; thus their houses were generally bad, but they were waiting till they had got in their harvest to commence building proper houses in place of their temporary huts. Captain Stockenstrom was a very proper person to have the formation of the settlement; he thoroughly knew the characteristics of the persons he had to do with, and very many he knew personally. He foresaw there was some danger in some characters called Bastards (especially those that had never been at institutions), wishing to have the pre-eminence over the Hottentots, and warned them against anything of the kind, and during his residence in the colony all went on well; but no sooner was he away than what he feared took place: those very persons began to speak of themselves as superior to Hottentots, and treat them as inferiors; and from that time some unpleasant feeling began, particularly in the appointment of some field-cornets, who by the magistrate were appointed contrary to the remonstrances of many of the Hottentots. This unpleasant feeling was increased by the proposed Vagrant Act. The Hottentots of Kat River saw that if the Act passed into a law, it would materially, if not altogether, affect their liberty; they therefore called a meeting by permission of the authorities, and discussed the subject, and sent in a memorial to the governor in council praying that the proposed Act might not be permitted to pass into a law, signed by upwards of 400 individuals, including most of the

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heads of parties; and if the memorial had not gone away too soon, it might have had 100 more signatures. I myself attended the meeting, and when all was done I made a few remarks. I considered the Act to aim at the very root of the liberty of the Hottentots, and that it would even thwart the designs and views of the framers; for anarchy and confusion would have ensued, and many of the Hottentots, as formerly, would have left the country rather than have submitted to such laws. While things were in this state, the above-mentioned Bastards, 80 in number, belonging to Mr. Thomson's congregation, in a private way, without a public meeting, signed a contra-memorial, begging that the proposed Act might pass into a law. The Hottentots for the two first years had the sole management of their own affairs, and it is my opinion that things went on much better than they have done since they were managed by a magistrate; it was more satisfactory to the Hottentots when all was managed by what might be called a jury; the parties might choose the persons to be their judges, with the field-cornet at their head; this system worked very well. The people were moral; many had been addicted to drinking brandy, and that to excess; but when the temperance society was established, about 1,700 signed its rules, and when I left only four or five persons in three years had broken through the rules. Although wine is not included in the rule, yet most of the people refrain from taking any; they also sent a memorial to the governor, requesting that their grants for their lands might be given so as never to admit a canteen in the settlement. Religion flourished among them. I baptised about 260 adults during the four years and a-half that I was with them, besides children, and the number of church members was about 400; the attendance on religious worship was great; on Sunday we were obliged to divide into two congregations, and the conduct of the people was most uniform. The older people were most zealous for instruction themselves, and very anxious to have their children educated, and for the latter object bore some of the expenses themselves. We had seven schools for the larger children and one school of industry, besides five infant schools, mostly carried on by native teachers, receiving a small salary from the Missionary Society, and generally supported in provisions by the people. There are connected with our congregation about three-fourths of the settlement. I received a call to be missionary there by the whole of the people of the settlement, in 1830. After the people of the settlement had chosen me as their pastor, government appointed the Rev. Mr. Thomson, who had been missionary and government agent in Caffreland, as Dutch minister at Kat River, with a salary of 200*l.* per annum. On my arrival at the Kat River I collected the people together, told them I was come among them merely for their spiritual advantage, that I should not meddle with their secular affairs, as I considered they were quite competent to manage all such things themselves. To preaching, and the instruction of their children, I confined myself till the last hour I was among them, to which every individual among the people could and would bear witness. When I joined the settlement of Kat River, in May 1830, I found a feeling against the Caffres; they had committed some depredations on the cattle of the Hottentots. This feeling I endeavoured to do away with, and to use my utmost exertions to cultivate a friendly disposition between them. Macomo applied to me to get him a missionary to reside with him. Macomo said he wished to reside on the ceded side of the Keiskamma, that he would even submit to English laws in it if he could only have peace; that he wished to live in a different way than he had done; that if he could only get ground, he would build houses after the manner of the colonists, lead out water, cultivate land with ploughs, &c.; he said he would ask the governor for a piece of land to the north of the Keiskamma. We were pleased to hear of the intentions of Macomo as to a new mode of living, and I promised to assist him with a plough, and a number of the Hottentots volunteered to go and assist him in making his dam, watercourse, &c. Mr. Brownlie, Mr. Kayser and myself, by appointment, met Macomo, to fix his residence, and to examine different places in the Keiskamma River, which he had seen, and supposed the water could be led out. He wanted, in the first place, to settle on the colonial side of the river, where he was then, by permission, living, but Mr. Brownlie and I persuaded him from it, as we told him we did not believe government would allow it, and then the expense and trouble would be thrown away; he therefore resolved to build for the present on the opposite side till he had seen the governor. On the arrival of Sir Benjamin D'Urban, Dr. Philip wrote me that he believed that he had instructions to settle the affairs of the Caffres,

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Caffres, and that he appeared a well-meaning man, and most anxious to be on the frontier as soon as possible, and to give redress to all parties as much as he could. In May, I think, Dr. Philip wrote me, requesting me to see Macomo, and any of the others of the chiefs I could, and inform them that a new governor was arrived, a humane man, and that he would be down among them as soon as he could; that I must request them to be quiet, and restrain their people from stealing from the colony; that he did not know precisely what system the governor might propose, but he was persuaded that it would be much to their advantage, and that he hoped that on the governor's arrival they would be all united, and throw no difficulties in the way of the plans he might propose, as he was persuaded they would be much to their good, or if they might not wish to agree to his proposals, to have a plan of their own to propose. I saw Macomo, Botman and Tzatzoe, with an old councillor of Gaika; I communicated the above to those persons in the presence of Mr. Kayser, by means of Tzatzoe, as an interpreter, and their answer on the subject is contained in letters I wrote to Dr. Philip, which I believe are before the Committee. In August Dr. Philip wrote me that the governor was about to leave town; that he was most anxious that the affairs of the frontier might now come to a favourable issue; that he hoped that the chiefs were prepared to propose some plan to the governor to prevent theft, or to recover stolen cattle, or to submit to some reasonable plan the governor might propose. I had to go to Mr. Brownlie's station, to commence an infant school, and took an opportunity of seeing Macomo, and Tyalie came with him. They said they had little time to converse, as patrols had been entering their neighbourhood that morning, and that they must return and see what was doing; and as no other chiefs were there, little could be said. They seemed pleased that the governor was coming, and expressed a wish that he might come speedily. Dr. Philip arrived at the Kat River settlement in September, expecting the governor immediately. On or about the 1st of October he left for Caffreland, and I accompanied him, with two other gentlemen, one of Cape Town, and one from India, Captain Bradford. We visited two of the Glasgow missionary stations and two of our own, Mr. Brownlie's and Mr. Kayser's. At Mr. Kayser's, the 9th instant, we had a meeting with some of the chiefs, Macomo, Botman, Kama and Tzatzoe, when Dr. Philip spoke very earnestly about their attendance on the means of grace and the education of their children; he urged them to use their utmost endeavours to prevent the Caffres from stealing, by catching and punishing the thieves; if this could not be checked, he remarked, nothing could save them; that he expected the governor immediately, and that he hoped they would be quiet and wait his arrival, and that they might then state all their grievances to him, and that he had no doubt but that he would redress them. Macomo had commenced to enumerate his complaints as usual, such as the loss of country, the patrols, &c.; but Dr. Philip abruptly stopped him, saying he was not come to converse about these things, but to admonish him to peace, and to attend to the Word of God, and have his children educated. Macomo had placed two of his children with Mr. Kayser to be educated, and they had made some progress. Dr. Philip left the Kat River settlement on the 4th of November; on the 9th instant I was seized with a violent diarrhœa, and was not expected to live, till some time after the war broke out; and I had only been out of my bed a few days when the locations were ordered to concentrate, and I had to move. I never saw a Caffre chief, nor received any communication from any one, directly or indirectly, after I saw them with Dr. Philip, at Mr. Kayser's, before the war broke out. About 12 days before the war, Mr. Brownlie came to see me in my illness, and stated that everything was quiet in Caffreland; and on his return to Caffreland, he repaired to Graham's Town to fetch two of his children from school, and lay in a stock of sugar, coffee, tea, flour, &c. for the year, as did Messrs. Kayser, M'Diarmid and Chalmers; on their return, the war was broken out. On the 19th of December, Jan Tzatzoe having heard from Mr. Brownlie that I was very ill, came to see me; he stated that the Caffres were in a state of excitement, that a patrol had seized Tyalie's oxen, which his brother had charge of; that his brother insisted upon knowing why the cattle were taken; that the patrol had fired and killed two of the Caffres, and wounded Tyalie's brother with two slugs in the head. On the 20th a number of men were ordered from the settlement to the Kat River post; the 21st again, but it was only on the 22d that we heard that the Caffres had entered the colony and had murdered a Dutch farmer, and were taking cattle in every direction; and Colonel Somerset sent orders to concentrate

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the locations, and next day 15 locations came to Philipstown. On the night of the 25th, the Caffres attacked our kraals, and succeeded in getting away 30 head of cattle. Our Hottentots were under arms the whole night, and kept up a firing. The war was altogether unexpected and sudden to us; we had never heard a sentence to that effect; we were all astounded; no chief or Caffre had ever spoken a word that led us to think of war. The Glasgow missionaries also, who were upon the frontier and among Gaika's Caffres, had never heard a word to that effect or seen any preparations. The Rev. Mr. Laing stated at a public meeting at Graham's Town, that he and Mr. Ross had the week before travelled to itinerate through the most populous parts of Caffreland, and were never received so kindly or heard with such attention as on that occasion. It is my impression, and that of most of the other missionaries, that the Caffres rushed into the colony without the orders or knowledge of the chiefs. When Mr. Kayser went to Macomo, the councillors said, "It is not Macomo's war; it is our war." It is believed that if there had been any check on the colony side the first eight or ten days, the war would have ceased; and it has been said, that the abandoning the military posts gave great encouragement to the Caffres. It appears also that the greater part of the Caffres took no interest till they heard that there was no opposition, and that to get cattle was very easy. The people connected with myself, or in my community at Kat River, have been, I understand, the severest sufferers in the loss of cattle and horses, and in lives, 10 having been killed by the Caffres; not in the field of battle, but some when working in their gardens. On the day that Groep's son was wounded, the cattle of a number of people belonging to our congregation were taken by the Caffres, and one herd killed. The Caffres might have supposed that the Hottentots of Kat River could or would keep neutral, but that they would join them was out of the question. In the first place, the Hottentots had no knowledge whatever of the intentions of the Caffres: secondly, there was a general pious feeling pervading the greater part of our people, altogether opposed to the idea of shedding human blood, and hastening men to eternity who might be unprepared for death: thirdly, there was no preparation whatever for such a thing; the guns of the settlement in general were standing to rust, or out of repair when the war began; they had to get their guns by scores repaired; there was likewise no ammunition; the second day after the war broke out, they had to send to Colonel Somerset for powder. I was with Dr. Philip at Fort Willshire in 1830; I recollect a conversation that took place with the Caffre chief Botman; Botman said he was sorry for three things; first, that he could not speak to Dr. Philip in a language that both understood; secondly, that he could not go to England, and lay his complaints before the King of England; and, thirdly, that he could not write, and thus be able to represent his grievances to the King of England. Dr. Philip said, "Hear what Botman says!" Mr. Fairbairn and Lieutenant Robertson were at that moment entering the fort; and Dr. Philip repeating the words of Botman, Lieutenant Robertson, going up in a familiar manner, said, "Does the old fellow say so?" Botman, with a significant look, and lifting up his arm to keep him off, said, "Picaninni! picaninni!" Mr. Robertson said, laughing, "I do not know why it is that this old fellow always calls me a child." After this, the conversation became general, and Dr. Philip admonished Botman to attend to the Word of God and the education of his children. Nothing was said that could tend to produce discontent, or anything except peace.

5236. You have been at the Cape for 36 years; do you believe, looking at what the population of the district now occupied by the British was when you first knew it, and what the population is now, that the total population in that district has increased or decreased?—I should think perhaps it has increased a little, but very little indeed among the Hottentots; but the increase among the English has been very considerable.

5237. The population is not much altered from what it was 36 years ago?—I should think not among the Hottentots.

5238. What is the extent of land that we have taken possession of belonging to the aborigines since the period of your arrival at the Cape?—The Hottentots possessed no land when I came to the colony, except a few kraals in the district of Swellendam. Those lands had all, I believe, been taken away from the Hottentots, with very few exceptions; the only lands that I know that have been added to the colony are the lands from what is called the Kolesbergh to the great Orange River, which is a considerable extent of land. We were requested to form a missionary station at Kolesbergh among the wild Hottentots, who were very

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very unruly towards the colony in 1814. We got Mr. Smith to go there, supposing it to be out of the colony, and Mr. Smith collected a great many Hottentots, and was very successful among them, and baptized many of them; but he was ordered from the station, and the station was taken possession of by the government, and the whole country extended to the great river.

5239. Have you any notion what number of square miles was comprised in that?—I could not say; from that direct to the river is not very great, but going further to the westward is very extensive.

5240. Was not the neutral territory taken possession of at that time?—I was at Lattakoo when it was taken possession of; it was only when I returned from Lattakoo that I heard that the country from the Fish River to the Keiskamma had been taken from the Caffres, and named a neutral territory.

5241. Can you state what the boundaries of the colony were when you first went there, and what they are at present?—It would be rather difficult to do it; I know the boundary went up the Fish River to the Tarka River, from that they passed to the Sea-Cow River and Kolesbergh; but I am not acquainted with the other line behind the Snewbergh and up to Sack River. The colony was extended in my time on the western coast without any proclamation; we had a missionary station there; General Janssen permitted the boors to go and settle there; the missionaries left, and it has been considered part of the colony since.

5242. You were a considerable length of time with Dr. Vanderkemp?—I was with Dr. Vanderkemp from the latter end of 1800 till his death in 1811.

5243. Were you with him at the time of his death?—I had just left town. He was anxious for me to return to Bethelsdorf, and on my arrival at Bethelsdorf, I heard of his death.

5244. Are you aware that he said a short time previous to his death that his death had been hastened by the oppressions exercised upon the natives?—I do not recollect hearing him say that, but I know that the difficulties he had to meet with hastened his death; he suffered very much on that account.

5245. Are you acquainted with the chief Tzatzoe, who has been examined before this Committee?—Perfectly.

5246. Do you consider that he is a chief?—Quite so.

5247. Have you always held him in that estimation?—Quite so.

5248. Is he a Christian?—He is baptized, and we do not baptize, except those we really believe to be Christians.

5249. Have you found him a man upon whom you can place reliance?—Perfect reliance, a man of great integrity and honesty.

5250. Have you been acquainted intimately with Macomo?—I have not been very intimately acquainted with him, but I have seen him on several occasions when I was in Caffreland, and he visited the Kat River several times.

5251. Mr. *Lushington.*] Is Tzatzoe a perfectly independent chief?—Yes, like the other chiefs; he is inferior to some of the sons of Gaika, not all of them, because the rank among the Caffres depends upon the rank of the wife. The son of a Caffre woman is considered of no rank among the Caffres; it must be a foreigner to give rank.

5252. Mr. *Bagshaw.*] What is the name of Tzatzoe's tribe?—Teendees.

5253. *Chairman.*] Do you consider that Tzatzoe is upon an equality with Tyalie?—I think he was, from what I have heard; I have heard say that Tyalie could not sit in one of the great councils on account of the rank of his mother; I have also heard that Tyalie would not dare to make war with Macomo, or with his brother the young chief, when he is of age, which Tzatzoe, I believe, could do.

5254. Mr. *Bagshaw.*] Then, according to that, he was of superior rank to Tyalie?—Yes; but Tyalie has risen by being shrewd and clever, and perhaps there are other reasons.

5255. You said that the rank depended upon the mother?—Yes, properly speaking; but he has a good deal of personal influence, but I believe he is not strictly high in rank.

5256. *Chairman.*] Do you consider Macomo to be a person of considerable natural talent?—Considerable.

5257. Do you think he had a sincere desire to sit down, as he called it, in peace, and to promote the civilization and improvement of his people?—I believe perfectly so, from everything I could learn. I do not derive this confidence in Macomo from my own personal observation alone; but every missionary that I have met with that had any knowledge of Macomo, spoke in the highest terms

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of him. The Rev. Mr. Ross resided with him three years, at Balfour, and he said he found him always correct in all his proceedings, and I have not met with a military officer that has come into contact with Macomo yet, but what has given Macomo a good character.

5258. You have spent the greater part of your life among the aborigines; which, in your opinion, is the most just and the most wise course, whether on the one hand to deprive them of their land, and to treat them as if they had no rights, and to consider Europeans as having a right to take possession of all that belongs to the natives; or, on the other hand, to treat them with strict impartial justice, to give them the same privileges that we claim for ourselves, and to do what we can gently to lead them to civilization and Christianity?—It does not admit of a question; they only want justice done them.

5259. Mr. *Lushington.*] Were you aware of the existence of a government order, prohibiting the entrance of Caffres into the colony without a pass?—No, I was not.

5260. You never heard of the existence of it?—I never heard of it, and I was led more to suppose that that was not the case, because Captain Warden, so long as he was at the military post, always permitted the Caffres to go backwards and forwards without any restriction.

5261. Did you never hear that the officers, commanding the frontier posts, had particular instructions not to admit Caffres without such passes?—No, I never did; I only heard that there was such an order. My son and Captain Bradford went into Caffreland, and they called on Captain Armstrong; and Captain Armstrong said, "Do you know that you must have permission from me?" and that was the first I heard of it.

5262. Is it not consistent with your knowledge that the missionaries were in the habit of applying to the commanding officers of posts for permission to allow Caffres to pass the boundary?—Not before that.

5263. Under what circumstances was Macomo apprehended; was it not in consequence of having passed the boundary by stealth?—I suppose it was; but I did not know at that time that there was such an order.

5264. Of course if no such order had existed, Macomo would not have been apprehended?—I suppose not.

5265. Did you never hear of such an order having been issued by Sir Lowry Cole, in the year 1829, when he was on the frontier?—I might have read it, but I did not recollect it; I only knew it when Captain Armstrong told my son and Mr. Bradford.

5266. Did not you consider that it was your duty, having so much communication with the Caffres and other aborigines, to become acquainted with the ordinances of the government?—It might have been my duty, but I had not such a great deal of communication with the Caffres; and I was not aware of the orders that there were upon that point. I saw English people going into Caffreland without any pass or permission whatever, and the missionaries and other persons went backwards and forwards, and I never heard that they required a pass; and as long as Mr. Warden was at the post we never knew of such an order.

5267. Then the Committee are clearly to understand that you did not know that there was such a law of the colony?—I did not know that there was such a law; I have heard of that since.

5268. Mr. *Bagshaw.*] Did not you know that traders were obliged to have a license to go into Caffreland?—I heard that they had; but I thought it was as traders to barter; but I did not know that other individuals had; at least we passed the boundary constantly.

5269. Had no orders been received by you to the effect mentioned?—I cannot recollect at this moment any.

5270. Not from the superior missionary establishments, even?—No.

5271. Are not copies of all the proclamations issued at Cape Town received by you at your establishment?—I believe not; we never get a government gazette. I have never received one at the Kat River, and I am certain that nothing of the kind takes place at Bethelsdorf. I was there eight months before I came away, and I am certain that no order from the government was received except an occasional communication between Mr. Read and Mr. Kitchin about Caffres that were there, but no printed order, and no government gazette. I have already stated that the circumstance of Mr. Warden permitting us all to go backward and forward without pointing out that law, made us think that there was no such law.

5272. *Chairman.*]

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5272. *Chairman.*] You naturally supposed that either there was no such law, or that the law had fallen into disuse?—Yes.

5273. It being the object of the British Government to do everything that it can, in order to promote peace between the natives and the Europeans, and in order to spread civilization and Christian truth amongst the natives, can you give the Committee any opinion as to what measures you would deem the most advisable for those objects?—I am a bad legislator; I can scarcely offer an opinion what would be best for the Caffres. If the war had not broken out, I think that the plan that was likely to be introduced among them might have been tried, and might have been very beneficial to them, so as to have brought peace to the frontier; then of course if they had had peace, all other things would have prospered; missionary stations would have been unmolested, and the Gospel would have spread.

5274. Do you think that the old system of patrols and commandos, or a system of the most exact justice, would be more calculated to promote peace in the colony?—Strict justice undoubtedly.

5275. Do you believe that if peace prevailed there, commerce would spread?—By all means.

5276. Do you think that if peace prevailed, Christianity would extend itself among the people?—Most assuredly.

5277. Did your congregation at the Kat River consist entirely or almost entirely of Hottentots, as distinguished from Bastards?—No, we had a great many Bastards with us.

5278. Did you entertain any doubt of the loyalty of the Hottentots when the war broke out?—Not the least.

5279. Did you anticipate that they would join the Caffres?—Not in the least, I had no idea of any danger of that whatever.

5280. Had you any reason to believe that the Caffres expected that the Hottentots would join them?—No, I do not believe it.

5281. A few months before the war broke out, had not you a meeting to petition against the passing of the Vagrant Act?—We had.

5282. Do you think that that meeting about the Vagrant Act, and the discussion which thereupon ensued, excited the Hottentots to discontent?—No; I believe that the excitement of the minds of the Hottentots for fear of the Vagrant Act brought them to have that meeting, and when that meeting was over their minds were calmed.

5283. Are you aware whether the Hottentots were in any way tampered with by the Caffres?—I am not aware of it; I do not believe it.

5284. Do you think the Hottentots were aware that the Caffres were about to rush into the colony?—No, I do not believe it.

5285. Might not the Hottentots have been in communication with the Caffres without your knowing it?—I cannot believe it, for I had so much the confidence of the Hottentots, that though there might be an individual that would keep it from me, yet if it was at all extensively known, I must have known of it.

5286. Upon what occasion was the first attack made?—The first attack was made at Philipstown, where I was residing, on the 25th of November.

5287. At the time the war broke out, was there a son of Gaika with you?—Yes, a little boy; he is with me still.

5288. Was not the fact that Gaika had placed one of his sons with you, an European, and that he was there at the time the war broke out, a strong manifestation that the breaking out of the war had not been previously contemplated by the Caffres?—He was placed with me by Gaika's widow, who told me that it was one of Gaika's last wishes that that boy might be placed with me for education.

5289. Is she a person of any authority among them?—No, of no authority. I received an order from Colonel Smith; they came and took the boy from me at Kat River and took him to Graham's Town; I wrote to Colonel Smith to state the way in which I received him to be instructed, and upon my arrival at Graham's Town the boy was returned to me.

5290. Do you consider that it was in contravention of the law that you had that boy?—By no means; his mother asked me that as soon as he was big enough he might come to the infant school among the children, and being in Caffreland I took him.

5291. Must not the restoration of that child to you afterwards, be taken as a conclusive reason that the government did not think that you had acted in contravention of the law?—Quite so, I conceive.

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5292. Is it true that a great number of Hottentots from the Kat River have gone to live in Caffreland?—No, it is not true.

5293. You do not think that the Caffre country is infested by Hottentots who have gone in that manner?—By no means; I have understood that that has been alleged, and one of our missionaries was so certain of the contrary, that he has been active in getting the evidence of a number of missionaries and persons in and near Caffreland, and disproving the charge, and those letters I have with me.

5294. Mr. *Johnston.*] You heard the evidence that your son gave to the Committee; do you concur with him in the statements which he made, in the opinions which he expressed, and, so far as you have had an opportunity of being cognizant of them, in the facts which he stated to the Committee?—They were quite correct, so far as I recollect.

5295. Mr. *Bagshaw.*] Is Tzatzoe of the royal family?—He is more or less related to the late Kachaby.

5296. Is Tyalie of the royal family?—Yes, on the father's side.

5297. How did you ascertain these facts?—I had them from the Caffres.

5298. You have spoken about the conduct that ought to be observed to the aborigines; that a just conduct should be observed to them upon all occasions. Nobody can gainsay such a doctrine as that; but did not the patrol and commando system originate in the feeling that justice should be done; that if robberies were committed, and cattle, for instance, could not be recovered by any other means, force should be resorted to?—Perhaps so; but the thing that is complained of is the abuse of it chiefly, at the same time the system itself. I think it would be very proper in such a case, perhaps, that if they took cattle and were reluctant in sending them back, the military might be used (but the less the better) to get the cattle back again; but then it should only be to take the cattle that were stolen; not to take from innocent people.

5299. *Chairman.*] Is it reconcileable with your notions of justice, that because A. steals my cattle, I may take cattle from B.?—By no means; but that was the system completely.

5300. Mr. *Bagshaw.*] Was not it so agreed with Gaika, that in case of cattle being traced to a kraal, and the cattle not being given up, force should be used to take other cattle from the kraal to make recompense?—I am not aware of such a thing, nor do I believe that Gaika could make such a treaty or agreement without the consent of the other chiefs.

5301. At the commencement of the late war, is it not your opinion that it was more of a retaliatory description, and that the seizing of cattle was more the intent of the Caffres than any system of war with the Europeans?—They took cattle from the colony, undoubtedly. It was not with any idea of war; but there are rogues everywhere, and those rogues were going out to steal, in the first instance.

5302. If the Caffres at that period had really any intention of aggrandizement of territory, or of the destruction of the white inhabitants, could they not almost have marched to Cape Town at that period?—They might.

5303. Therefore, they were more intent upon plunder than anything else?—They were; and I believe a very small part of the Caffres in the beginning were there; for, from all the information I could get, it was only about two or three weeks after the war broke out that the Caffres generally entered the colony.

5304. Therefore, the first Caffres having been successful in getting a large plunder of cattle, that induced other Caffres to come forward and assist in this predatory war?—Exactly.

5305. If they had not been intent upon plunder, but had been intent upon an aggrandizement of territory or the destruction of the white inhabitants, they might have almost destroyed the whole of the colony?—The greater part of the colony, undoubtedly.

5306. Mr. *Johnston.*] Would you approve of the commando system in preference to any other system in dealing with the Caffres?—I would not have it by any means whatever.

5307. You mean to state that it should only be used in case of every other means having been used and failed?—Exactly so.

5308. Mr. *Bagshaw.*] Did Macomo and Tyalie actually enter the colony during the war, for the purposes that have been described?—I suspect that Macomo never was in the colony; during the whole of the war he was in the mountains.

5309. It appears that you have got into collision unfortunately with the governor, and

and that he has removed you from your first settlement on the Kat River, and has not assigned any reason for it?—My son has stated that; and what my son has stated upon that subject is correct. Rev. *James Read.* 29 June 1836.

5310. So that the governor, Sir Benjamin D'Urban, at the Cape of Good Hope, removed you, the missionaries at the Kat River, without assigning the least reason?—Yes.

5311. And without alleging any complaint?—Without alleging any complaint.

5312. Was this during the time that martial law was proclaimed in the colony?—It was after martial law was proclaimed. I received an order from Colonel Smith, and the letter of Colonel Smith was to this effect: I was to come to Graham's Town to give all the information upon the Caffre affairs that I could; but I was never asked a single question upon the Caffre question from that time to this. I applied to Sir Benjamin D'Urban to allow me to return to Kat River, and he advised me not to do it; upon his returning from Caffreland I applied again, and he refused to allow me go.

5313. Did you expostulate with him?—Two memorials have been sent in to that effect; to the first he returned a negative; to the second he never gave any answer.

5314. Is he aware of your coming to England?—I am not certain of it; I got a colonial pass.

5315. Did you not demand any trial?—Yes.

5316. You felt it due to your own character?—Certainly; I suffered very much both in my mind and body about it; I got an illness, and I believe the trial of being separated from my congregation considerably increased my disorder.

5317. All of which you stated in your memorial, or at least part of it?—Part of it.

5318. But it had not the effect of bringing you to any investigation, where you might meet your accusers face to face?—No.

5319. Then at this moment you do not know what the charge is?—I do not know more than any gentleman in this room what the charges are; I had no idea there was a single act of mine incorrect at the Kat River.

5320. Has your son this badge upon him also?—Yes; application was made to the government for my son to return to the Kat River, and that was not allowed either.

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*Lunæ, 4° die Julii,* 1836.

MEMBERS PRESENT.

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|---|---|
| Mr. Charles Lushington. | Sir Rufane Donkin. |
| Mr. Andrew Johnston. | Mr. Baines. |
| Mr. Bagshaw. | Mr. William Gladstone. |

MR. CHARLES LUSHINGTON, IN THE CHAIR.

The Rev. *John Philip,* D. D., called in; and further Examined.

5321. *Chairman.*] HAVE you any communication to make to the Committee regarding the Griquas?—I have prepared a paper, showing the importance of the Griquas to the colony, with the measures that I would recommend to be adopted in relation to that people; with some answers to objections that have been made to any interference on the part of the government with them; with some recommendations of general principles, applying to the frontiers of the colony as a whole; and some corrections of statements that have appeared in the Minutes of Evidence; and a defence of some things in which I have been myself concerned, and for which fault has been found with me. Rev. *John Philip,* D.D. 4 July 1836.

5322. Previously to entering upon that statement, will you inform the Committee of the exact fixed position of the Griquas, with reference to the colony?—The Griquas will be found extending along the border of the Orange River, from the Caledon River, where there is a Bushman station, to 50 miles beyond Griqua Town.

5323. Mr. *Johnston.*] At what distance may Griqua Town be from Cape Town?—As the crow flies, about 500 miles.

5324. Is there any road to it?—Yes, there are two roads; there is one by Beaufort, and the other by Graaff Reinet.

5325. Are they in good condition?—They are such roads as we have in

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Africa. When the road is out of condition we make a new one, by going on one side of the old one.

5326. But there are no bridges over the rivers?—No.

5327. *Chairman.*] Will you have the goodness to proceed to read your statement?—Owing to a variety of circumstances, that we need not at present discuss, till lately the northern frontier of the colony has not been deemed a subject of much interest. While it was thought necessary to maintain a large military establishment on the eastern frontier, to defend it against the inroads of the Caffres, the defence of the northern frontier has been left entirely to the people at the missionary stations, and the efforts of the boors, when occasionally called out to punish particular instances of robbery and murder, and recover stolen cattle. The dangers to the colony, from the tribes on the northern frontier, were formerly less known than those that threatened us on the eastern boundary; but our ignorance cannot be longer pleaded as an apology for indifference to that subject; and it is the opinion of men who are most conversant with the affairs of both, that those of the northern frontier have assumed an aspect not less important than those that have a reference to our relation with the Caffres. While an acquaintance with the subject will force upon us the conviction, that we have at present more to apprehend from the tribes that lie to the north of us than we have to dread from those that lie more to the east, there is this material difference in our relations to them, that the affairs of the one may be much more easily managed than those of the other, if we only know how to do it. While we are perplexed about the manner in which we should act towards the Caffres, and are looking at every thing connected with them in the light of an experiment, that may or may not succeed, the Griquas, on the northern frontier, are a people already made to our hands, and who may, by a just and liberal policy, be retained, as they have been, the cheapest and best bulwark of the colony. The origin of the Griquas will be found fully developed in the journal of the Rev. Mr. Campbell and other travellers in South Africa; I need therefore only remark here, that they are a race of mulattos whose ancestors were the offspring of the colonists by Hottentot females. These Bastards, as they were termed, finding themselves treated as an inferior race by their kinsman of European blood, and prevented from acquiring the possession of land, or any fixed property, within the colony, about 50 years ago sought a refuge from contumely and oppression among the native tribes beyond its limits, where their numbers were gradually augmented by refugees of the same caste from the colony, and by intermarriages with females of the Bushman and Coranna tribes around them. In the year 1800, when Mr. Anderson went among the Griquas (as they are now denominated), they were a herd of wandering and naked savages, subsisting by plunder and the chase. Their bodies were daubed with red paint, their heads loaded with grease and shining powder, with no covering but the filthy caross over their shoulders. Without knowledge, without morals, or any traces of civilization, they were wholly abandoned to witchcraft, drunkenness, licentiousness, and all the consequences which arise from the unchecked growth of such vices. With his fellow-labourer, Mr. Kramer, Mr. A. wandered about with them five years and a half, exposed to all the dangers and privations inseparable from such a state of society, before they could induce them to locate where they are now settled.

When the labours of the missionaries began to produce their legitimate effects on the minds of the Griquas, polygamy was abandoned; and since that period every man has confined himself to one wife. This state of things, as it exists among savage tribes, is one of the greatest obstacles to the success of the missionaries; and when the Christian religion operates so powerfully upon their minds, as to enable them to make the sacrifice which its abandonment requires, the missionaries are furnished with one of the most unquestionable evidences of the efficacy of their instructions, and have the best securities for the future triumph of their principles. As a corroboration of the preceding statement, the following extract of a letter from the Rev. William Anderson, formerly of Griqua Town, and now of Pacaltsdorp, dated 23d December 1825, will be perused with interest: " When I went among the Griquas, and for some time after, they were without the smallest marks of civilization. If I except one woman (who had, by some means, got a trifling article of colonial raiment), they had not one thread of European clothing among them; and their wretched appearance and habits were such as might have excited in our minds an aversion to them, had we not been actuated by principles which led us to pity them, and served to strengthen us in pursuing the object of our missionary work; they were, in many instances, little above the brutes; it is a fact, that we were among them

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them at the hazard of our lives. This became evident to us from their own acknowledgments to us afterwards, they having confessed that they had frequently premeditated to take away our lives, and were prevented only from executing their purposes by what they now considered an Almighty power. When we went among them, and some time after, they lived in the habit of plundering one another; and they saw no moral evil in this, nor in any of their actions. Violent deaths were common; and I recollect, many of the aged women told me their husbands had been killed in this way. Their usual manner of living was truly disgusting, and they were void of shame: However, after a series of hardships, which required much faith and patience, our instructions were attended with a blessing, which produced a great change. The people became honest in their dealings; they came to abhor those acts of plunder which had been so common amongst them; nor do I recollect a single instance, for several years prior to their late troubles, which could be considered as a stain upon their character. They entirely abandoned their former manner of life, and decency and modesty prevailed in their families. When we first settled among them, we had some Hottentots with us from the Zak River. With their assistance we began to cultivate the ground about Riet Fonteyn; but notwithstanding our exhortations, remonstrances and example, the Griquas manifested the greatest aversion to such work, and appeared determined to continue their wandering and predatory habits. At the end of six months the Hottentots left us, and our prospects, as to the future cultivation of the ground, became very gloomy. We determined, however, to abide by them; and in wandering about with them we constantly endeavoured to impress upon their minds the superior advantages they would derive from cultivating the ground and having fixed habitations. After a considerable time had elapsed, we prevailed upon them to try the experiment, and a commencement was made. This event was preceded and followed by a great and visible improvement upon them as a body. It was soon after our location in this place that we were visited by Vandergraaf, landdrost of Tulbagh, Mr. Vanderbyl and Professor Liebenstein. On this occasion the landdrost expressed himself thus: 'I find every thing different from the reports which have reached the ears of the governor, and I shall state to him the satisfaction I have felt on finding things so different as they have been represented on my return.' Considering the circumstances of the people, much land was cultivated at this time, and in the following years the land under cultivation was much increased. I have seen the whole valley, from the Fountain to the Lion's Den, which must include nearly four square miles, covered with corn and barley. This refers to the Griqua Town alone, and the ground around the neighbouring fountains was in a similar state of improvement." Before the Griquas were induced to give up their nomadic life, and locate themselves in their present situation, such were the privations of the missionaries that they were often six months at a time without tasting bread. After they had got the people to give up their wandering life, and they began to have bread and garden stuffs, to use their own expression. "We seemed scarcely to have an earthly wish left that was not gratified." When in addition to this improvement in their table they got comfortable houses and clothing, and saw the people improving in their understandings in piety and industry, they found their cup running over, and felt themselves repaid for all their sufferings and sacrifices. This pleasing state of things continued till 1814, when Mr. Anderson received an order from the colonial government to furnish 20 men for the Cape regiment. Mr. Anderson, after making every effort in his power to forward the wishes of the colonial government on this point, wrote a letter, dated March 26th 1814, stating his want of success; and this communication was followed by a letter from the colonial office, dated 27th May, declaring that unless the order was complied with, all communication between the missionary station and the colony should be considered at an end. The refusal of the Griquas to furnish men gave great offence to the colonial government, and the suspicions and irritations occasioned by this circumstance did not soon subside. In 1817 the missionaries sent to South Africa by the London Missionary Society were, on various pretences, detained in Cape Town; and none of those designed for the interior were at that time allowed to proceed beyond the limits of the colony. The strength intended to recruit this mission was not only diverted from its original destination by the colonial government, but we were now prevented, by the restrictive system which had been acted upon from 1817, from sending the missionaries to this station, or indeed to any of the stations beyond the colony. Soon after my arrival in the colony, Colonel Bird, in a conversation in the colonial office, introduced the subject

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respecting the wishes of the government, that the missionaries should be recalled from Griqua Town, and I then expressed it as my opinion that the people would not accompany them, and that it was certainly much better that those people should have missionaries than that they should be without them. In 1819, a fair was established at Beaufort for the mutual benefit of the colonists and the savage tribes beyond the colony. An institution of this nature indicates a considerable advance in civilization; and the establishment of this fair may be appealed to as an answer to the objections made against our missions. The principal, or I may say the only, dealers at this fair were the Griquas on the one side and the colonists on the other. At the first fair the business done by that people amounted to 27,000 rix dollars, and on most of the goods sold to the Griquas by the colonists the latter had a profit of from 200 to 500 per cent. In 1820 a second fair was held, which terminated as successfully as the first. On that occasion about 200 people attended with 27 waggons, loaded with elephants' teeth, salt, skins of all sorts, wheat, honey, and various curiosities; driving before them upwards of 700 oxen. This circumstance shows that missionaries have been the instruments of elevating considerably the character and condition of this people. I was informed by several respectable and intelligent individuals present, that the strangers not only vied with the colonists in preserving order, but that the praise of sobriety was so decidedly on their side, as on several occasions to induce the chief magistrate present to speak of their conduct with admiration, and point them out as examples to the colonists. Soon after this period the government resolved to appoint a political agent at Griqua Town. This subject was mentioned to me. I stated that the plan should have my cordial approbation provided the people were to be treated as colonists, and the agent was to be invested with the authority of a landdrost to enforce the laws which might be given them by the government; but I objected to the appointment of an agent without the means of enforcing the regulations of the colonial government, on the following grounds: I conceived that such an appointment might awaken those jealousies for which they had had too much reason; that it would destroy their confidence in each other, create disunion, and that the agent of government would be in danger of identifying himself with a party; that this might give rise to troubles he had not the means of repressing: that the disaffected party, seeing that he was not supported by the arm of government, would be emboldened by his weakness: that civil broils were likely to arise out of these circumstances; and I foresaw that the colonial government might make use of the confusion excited as a pretext for seizing the people and placing them within the colony in the condition of the Hottentots, a condition worse than that of common slaves. After some delay, John Melville, Esq., formerly government surveyor and inspector of the public buildings in Cape Town, was appointed to fill this new situation. When this nomination was communicated to me by the colonial government, I stated in reply, that my sentiments were unaltered in regard to the nature of the appointment; but as the government had determined upon it, I considered Mr. Melville as the fittest man the government could have selected to fill the office. This appointment is dated 21st of March 1822. The arrival of Mr. Melville at Griqua Town, as government agent, was the occasion of considerable apprehension; the fears of the better part of the people however soon subsided; but a small party disclaimed the authority of the agent, and removed from the district governed by the Griqua chiefs. The secession of this party, not more originally than ten in number, and consisting of the worst characters among the Griquas, would have been no loss to the society at large, nor could they have done much evil had they met with no countenance; but as the enemies of the mission were powerful, and used every means to support them, they were shortly joined by some tribes of Corannas and others of a more dangerous character. Their camp was visited by numbers of colonists with waggons loaded with British and colonial produce, with guns and gunpowder, and brandy, which were exchanged for the plunder brought by these renegadoes from the interior. Mr. Melville now called for assistance to put down this gang, called Bergenaars or Mountaineers, who were renewing on the borders of the colony all the horrors of the slave trade; but the matter was treated as an affair among the Griquas themselves, with which the colonial government declined interfering. These facts are clearly detailed in Mr. Melville's official communications, which are contained in the Papers relative to the Cape of Good Hope, ordered by the House of Commons to be printed 18th of March 1835, pages 212–224; and from which, for the further elucidation of what has just been stated, the following extract has been made:—" Nothing can be more

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more dreadful than the depredations of this lawless horde (the Bergenaars) on the Bechuana tribes; hundreds of them have been murdered, and thousands reduced to misery and want. But had the Griqua chiefs succeeded in their design, it would have put an end to this system of plunder and all its attendant horrors and barbarities. To show the cruelty of the Bergenaars, and the humanity of the Griqua chiefs, I mention an instance given by the king of the Bashootoo tribe, now in Cape Town. This unfortunate man relates, that his town was unexpectedly attacked by a large party of men on horseback. Being a people they had never seen before, and not knowing the destructive nature of their weapons, the Bashootoos attempted to defend themselves, but seeing great numbers of their people falling down dead, and the enemy, in spite of their utmost efforts, driving away their cattle, they at last gave way, running in all directions, leaving nearly all their cattle in the possession of the plunderers. Some time after this, while removing to another part of the country where they hoped to be more secure, the same kind of people were discovered coming towards them. In a state of despair at the prospect before them, the chief desired his people to sit down, saying, 'We shall all now be killed!' The enemy approached within 30 yards, and halted, asking whether they would fight, to which the Bashootoos replied, 'No; come and take us all away with you.' They were then desired to put away all their spears, which they did, and the enemy dismounting, came and selected such of the boys as were strong enough to accompany them. While thus employed, four white men, different from the rest of the plunderers, joined the party; the party proceeded to attack another town in the neighbourhood, where they succeeded in taking a great many cattle. On being asked whether the parents made any resistance, or cried when the children were taken from them, the king said they were all too much terrified to speak; one woman, however, resisted when one of the band attempted to drag her away, which so enraged the cruel wretch that he tore an infant from her back and murdered it, by dashing it against the ground. Having but a few cattle left to subsist on, many of them, rather than starve, resolved to follow the track of their plunderers, in hopes of getting something to eat; others said they would not live with those who had reduced them to such misery. When those who followed the plunderers arrived near the residence of the Bergenaars, they were met by some people of the plundered tribes returning to their country, who said the Bergenaars would kill them if they proceeded. Upon hearing this many hundreds returned. The king said those who remained behind would be reduced to the condition of wild Bushmen. The few hundreds who ventured on with the unhappy king coming near the Bergenaars at the time Waterboer was in that neighbourhood, and hearing from some stragglers the state of things between the Griqua chiefs and the plunderers, put themselves under the protection of Waterboer and C. Kok. Knowing the destitute state of these people, and that the cattle just taken from the Bergenaars belonged chiefly to the native tribes, the king was told by the chiefs to select such cattle as belonged to him and his people: 700 were owned as their cattle, with which they followed the Griqua chiefs rather than return to their own country, where they might again be plundered. The king, speaking of Waterboer, calls him his father, and says he will not return to his own country except he will go with him. The Bashootoos had built a number of houses in Griqua Town, and had the use of Waterboer's corn-field to cultivate for their own use." "In adverting to the danger to which the northern frontier is exposed, I must give it as my decided opinion that it is missionary influence alone that has hitherto preserved peace between the colony and the tribes beyond it. In the instance of Griqua Town already mentioned, when the Bergenaars came to attack it, the great respect attached to the character of a missionary was most apparent; the spirit of war and revenge that raged against the inhabitants of that place was allayed, and peace established, by the presence of the missionaries. The peace now existing between the Bechuanas and Corannas in that country has its origin in the mission of Griqua Town. I am satisfied, from what has come under my own observation during a residence of 2½ years as government agent at Griqua Town, that the only means of civilizing the savage tribes, and preserving peace on the frontier, is to encourage the missions beyond the colony. I have no doubt that if those missions fail for want of a check upon the Bergenaars, the whole of that part of the country on the frontier will be infested with robbers and murderers. The missionaries have always allayed the spirit of irritation, and prevented contests between the colonists and the savage tribes, their presence preventing the former from dealing unjustly with the savages, and the latter from retaliating when ill-treated by the colonists. In reference to the advantage

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vantage likely to arise from abandoning or supporting the people under the chiefs, I think it my duty to make a few observations. The Griquas are now divided; the most respectable part have expected support from, and expressed their attachment to, the colonial government. This party with their chiefs are still willing to remain connected with the colony, and enforce the laws and regulations approved of by government; the other party, taking offence at various causes already mentioned, began to show their disaffection at an early period, and left Griqua Town to reside in the mountains. Since that time numbers have joined them, and their party is every day strengthening. They reside within a few days of the colony, have constant intercourse with it, and are carrying on depredations among the native tribes, by which thousands of that people are compelled to wander about in quest of food and subsistence, and are obliged to plunder others or perish of hunger. Under these circumstances can there be any doubt which of these parties it is the interest of the colony to support? By assisting the Griqua chiefs and their adherents, the colonial government will afford encouragement to a people living under good regulations, preserve the peace of the frontier, maintain a good understanding with all the Bechuana tribes beyond the Orange River, who look to the Griqua chiefs as their friends and benefactors, and promote civilization and all its fruits. By supporting the Bergenaars, the Griqua chiefs will become discouraged, and be in danger of being irritated, while the Bergenaars, who are the secret enemies of the colony, will acquire strength by every new expedition, and by the accession of disorderly characters and deserters from the colony, will spread terror and desolation all around them. It is not uncommon to speak of these people with contempt, and say the farmers could at any time put an end to them; but those who speak in this manner are ignorant of the nature of the country, and the character of the people. A great part of them are provided with fire-arms and horses, and have a sovereign contempt of danger; they are all sharp-shooters, and accustomed to bush fighting, and well acquainted with the country, and by flying before a powerful commando they would weary them out; and while they were harassing them in their retreat, they could spare a sufficient number to retaliate on the families and cattle kraals of the farmers absent on the commando. They would not only have their own strength, but by their influence on other tribes, the Bechuanas, Corannas and Bushmen, would be brought into a state of hostility against the colony. They would have it in their power, by watching proper opportunities, to supply themselves with ammunition, and might at times the least expected carry terror and distress into every part of the frontier, from the Tarka to the mouth of the Orange River. This is not a groundless assertion; I have had the best possible opportunities of forming an opinion on the subject, and such means of judging as cannot be afforded to a person resident in the colony, and who must judge more from report than from actual observation. I may state here, that Waterboer and the orderly part, who are the only friends of the colony, have mentioned to me their intentions, if no favourable change takes place, of retiring into the interior; and I have no doubt, should this occur, the friends of government being removed, the old system of attacking the natives and bringing them and their cattle within the colony, and all the horrors arising from a constant state of warfare between these tribes and the colonists, will be revived. I do not state these things from any prejudice against the Bergenaars, but from a sense of duty, to point out the danger to which the frontier may in future be exposed, and the means of avoiding it, by adopting suitable measures at the present important crisis. As to the dependence or independence of the Griquas, I beg leave to say that the relation that is to subsist between them and the colony should be well considered and well understood on both sides. Waterboer and the other chiefs wish to be connected with the colonial government, and will object to nothing reasonable. After what has been said of these two chiefs, it surely cannot be necessary to recommend them to the protection and liberality of government. They devote their time and talents, and impoverish themselves to promote good order among the people, and keep up their attachment to the colony. The very enemies of Waterboer have but two complaints against him, and these proceed from his love of order and his zeal to support a good understanding between the people and the colonial government. Those who have left Griqua Town and cry out against him, when speaking to the landdrost or others about him, blame him for his severity; but I am convinced that the greater part of their hatred arises from his wish to keep on good terms with the colony."

On the 28th of August, on my arrival at the Alexander River, I found the leaders of the Bergenaars, and between 30 and 40 of their people waiting for me.

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They were soon after joined by a number of Corannas, who had been united with them in their plundering expeditions.

I spent two days among them, reasoning and remonstrating with them on the iniquity of their practices, and on the consequences which were likely to follow from a continuance in them. In reasoning with a people of their description on deeds of atrocity, we have an advantage over them by the novelty of our arguments, which is lost upon those who have had to overcome the force of those arguments upon their consciences before they could familiarize themselves to a life of crime. They ingenuously acknowledged the charges I exhibited against them, admitted the evil of the system they had been pursuing, and only slightly mentioned in extenuation the temptations they were under to commence and continue that system. Availing myself of these admissions, and of the temper they discovered, I now took higher ground, plied them with every topic, human and divine, that appeared to me calculated to deepen the impressions already made upon their minds, and many of them were moved to tears.

It was now necessary to propose some remedy for the evils which had entailed so many calamities on the unoffending tribes who had suffered so much from their depredations, and for the calamities which the aggressors were bringing upon themselves by persisting in their present manner of life; and with that view I proposed that they should meet me at Griqua Town at a general meeting to which the surrounding tribes were invited, when it was my intention to endeavour to settle their differences, and to lay before them some general plan for their future government.

The general meeting of the Griquas and other tribes was held, according to the appointment, on the 20th of September. The men assembled on this occasion from different quarters of the country might amount to between 300 and 400; I regret that it did not occur to me at the time to take their exact number, with a list of their names.

The first three days were spent in hearing their differences, and in endeavouring to reconcile the parties to each other. After this difficult task had been effected in a manner which exceeded my previous expectations, a few simple regulations, congenial with their own notions, and the progress they had made in civilization and knowledge, were proposed at a meeting of all the parties, discussed, and adopted by acclamation. At the passing of each resolution all the men stood up and held up both their hands. While they were yet standing, in passing the last resolution with their hands lifted up, "That they would all unite in suppressing all commandos against Bushmen and Bechuanas, and in putting an end to the nefarious system which had been carried on by the Bergenaars," I addressed them as follows: "Your hands are now lifted up in the presence of God and angels, before whom you have solemnly pledged yourselves that you will keep this resolution; and if this solemn engagement is violated by you, I shall appear as witness against you on the day of judgment."

The scene was altogether one of the most solemn and interesting I had ever witnessed; and the manner in which the people were affected after this public expression of their sentiments may be conveyed in the language of a Coranna chief, who exclaimed, "My heart is glad! my heart is glad! A few days ago, when we saw each other at a distance, and did not know to what party we belonged, we were glad to creep behind the bushes; we were afraid to meet; but now we can travel over the country in peace; we have nothing to fear; we can go from house to house, and in every house meet with friends."

But even at this time I was not so sanguine as to believe that these people were all sincere in their declarations, or likely to follow them out into practice against powerful temptations. Some good was, however, done, for a few of them were induced to withdraw from their vicious associates, and the murderous operations of the others were suspended for a time.

In 1826 Waterboer, the chief of Griqua Town, made every effort in his power to suppress robbery, and to induce the Bergenaars to submit to order, and to live in peace and honesty. In some individual instances he appears to have been successful; but in the beginning of 1827 a party of the Bergenaars attacked a Coranna kraal within the colony, which they plundered, murdering several of the people. In fulfilment of the pledge which Waterboer had given to the colonial government, that he would endeavour to put a stop to robbery and bloodshed on his part of the frontier, he went in pursuit of these marauders and succeeded in apprehending six of them, whom the chief and his hemraaden tried, convicted, and caused to be executed. This convinced the Bergenaars that Waterboer was determined, if possible,

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to put an end to plunder and bloodshed; and then all the banditti of that region combined against him and made the most determined efforts for his destruction, the particulars of which will be found detailed in the following extract from the journal of the Rev. Peter Wright, the missionary at Griqua Town:

April 16.—A report came to-day that a party of Bergenaars, consisting of 11 in number, had been to the borders of the colony to steal cattle; that they had attacked a kraal of Corannas in the night, shot several individuals, and carried away the cattle.

April 19.—This morning six of the above-mentioned party were taken into custody, and put in close confinement.

May 8.—The trial of the prisoners took place to-day, but the result is not known.

May 9.—The trial continued to-day, and I am informed that sentence of death is passed upon all the six prisoners.

June 18.—It is reported that the Bergenaars are on their way, and will certainly attack the station either to-morrow or the day following. Our people are thrown into a state of great alarm.

June 24.—A report came to-day that the Bergenaars will be joined by the Corannas on the Great River, and by Piet Berend's commando, which has been threatening the station for the last 10 months.

July 1.—The Sabbath. Our people were afraid to assemble in church to-day, lest their enemies should take them by surprise. A good watch has been kept all day.

July 6.—A few days having gone by without any account of the Bergenaars, our people were become rather unwatchful, and were this morning taken by surprise. At eight o'clock the enemy had surrounded the village unperceived, and their first attempt to storm the place was desperate. In our part of the village, however, our people soon succeeded in securing the most favourable points to prevent the progress of the enemy. During the whole day the struggle between the parties was hard; the firing was incessant; but at present all is still, the Bergenaars having retreated for the night, as it became dark. On the first attack this morning several of our people, men, women and children, were made prisoners, and whether any of them be now in the land of the living or not, is to us unknown.

July 7.—At day-break this morning the Bergenaars again made their appearance from behind a hill to the north-east, and at sunrise commenced vigorous operations to conquer the village, at the same time setting fire to all the houses in their possession. The enemy continued their attempts the whole day to get further into the village, but were always repulsed by our people. It is now dark, and the firing gets hotter. We are now in the greatest fear lest before morning we should fall into the hands of our enemies.

July 8.—Sabbath morning. From 12 o'clock last night till two this morning all hope of our people being able to keep the enemy out of the remaining part of the village was entirely gone, as the ammunition was entirely exhausted; but from some unknown cause about two o'clock this morning the Bergenaars ceased firing, and retreated to their rendezvous. Owing to our people not being able to withstand the enemy any longer for want of ammunition, Mr. Lass and I resolved to write to them, in order to obtain an interview with them, if possible, it being the only means now remaining of preserving the lives of our people, and preventing the entire destruction of our station. At sunrise this morning we succeeded in carrying a letter to the Bergenaars by the hand of a little Bechuana girl, just as they were about to renew their attack, which the receipt of the letter prevented.

About mid-day I was informed by the Bergenaars that I was at liberty to speak to them, which they desired I would do. I immediately proceeded and conversed with them. Some of them declared their determination to continue fighting, whilst others inquired of me what I thought of the execution of the six men? I answered that I had no right to think on the subject, and that I had not been wanting in my duty to those six men, as they themselves knew. After addressing them on their conduct, I prayed with them and left them. From that interview they ceased their attacks.

July 9.—The Bergenaars left us about noon, taking away with them 1,200 head of cattle, an immense number of sheep and bucks, 45 horses, five waggons, and a great variety of other useful articles. This evening a report came from the enemy that they intended to take their spoil to the distance of a day's journey, and then return with a determination to destroy the village. This created great alarm, as our people have entirely exhausted their ammunition, and thus have no means of opposing the enemy.

July 10.—Received information that the men who were taken prisoners in the first attack of the Bergenaars were all murdered before the enemy left this; that they were actually cut in pieces alive. The female prisoners they carried off with them.

July 15.—Our poor people are obliged to keep watch night and day, which is certainly a hard matter, being without victuals. I know not how the people exist on the place, nor how it is possible for them to keep possession of the station. Their friends at Campbell, in whom they have confided, have not yet come to their assistance in any way whatever; at this we are all surprised. To-day, being the Sabbath, I held Divine service at the different watch-posts, our people being afraid to assemble in the church.

July 25.—Bushmen spies sent out to watch the motions of the enemy, and to report to us in case of another commando.

August 11.—The spies returned with a report that they had seen an advanced guard of the Bergenaars, who had off-saddled their horses at a fountain about a day's journey from this. Should this be correct, to-morrow or the following day another attack is certain.

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Every preparation is making for the event, Mr. Lass having left his ammunition in the hands of Waterboer.

August 13.—At two o'clock this morning two men arrived, being some of the men seen by the Bushmen spies; they belonged to Willem Kok's kraal, an out-station belonging to this. They informed us that they had been attacked by the Bergenaars on their return from Griqua Town, that many were made prisoners, and it was not known what was become of them; the rest had escaped to the mountains, where they had been pursued by the enemy, robbed of all they possessed, stripped naked and left to perish in the wilderness; and that eight families, after a journey of 16 days, had arrived within a few hours of Griqua Town, but from a state of starvation they were unable to proceed any further.

August 14.—Our people fetched the eight poor distressed families in waggons to the village. On their arrival, old Cornelius Kok informed us that he had been told by some of the Bergenaars that the whole body of the marauders were about commencing a journey to Lattakoo to attack the mission, to procure powder and lead, and that they were determined to be revenged on the person of Mr. Moffat.

October 16.—This evening a Bushman arrived and informed us that the Bergenaars were certainly within a day's journey of us on their way with a large force; that he had been their prisoner, but had in the night made his escape from them. Every preparation is making for an attack.

October 19.—We were informed that the report of the Bushman was true; that the Bergenaars came no nearer than where he left them, and from thence returned, but for what reasons we know not.

November 12.—Received a note from Mr. Miles, informing me of his arrival at the Alexander River, and desiring to be assisted with oxen.

November 15.—Mr. Miles arrived this morning with various articles to assist the Griquas; the assistance had been contributed by friends at the Cape.

November 17.—Gave out the articles brought by Mr. Miles to our people, who appeared greatly encouraged and rejoiced.

December 5.—Our village was this morning thrown into confusion again by a report that the Bergenaars were actually on their way with a large force to attack it.

December 6.—Every man is kept at his post night and day, expecting the attack of the enemy every moment.

December 7.—At daybreak this morning a Bush-girl arrived, and said the Bergenaars were within half an hour of Griqua Town; that she had been their prisoner, but whilst they were consulting as to the manner of their attack she made her escape. About an hour after sunrise the enemy made their appearance and attempted to get possession of the fountain, but were completely repulsed by our people, after a very smart skirmish of about an hour. About mid-day our people succeeded in confining the whole body of the enemy within the hills at the top of the valley, and kept them in that position without either water or victuals till sunrise this morning. About seven o'clock the body of the enemy began to move in a direction from the village, and our people seeing that, allowed them to take their departure, at the same time following them with smart firing to the distance of four or five miles, and then left them. At three o'clock this afternoon a young man belonging to the Bergenaars returned to the village to throw himself on the mercy of the captain, stating, that he could not bear the hunger and thirst any longer. The young man further stated, that the Bergenaars were almost without ammunition. At five o'clock a party, consisting of 20 men, arrived from Campbell, having come in defiance of the captain and missionary there to assist our people, and it was resolved that the Bergenaars should be followed by the whole force of Griqua Town, and the men from Campbell to intercept the path of the Bergenaars, and give them battle, in order to strike terror into them, if possible, and deter them from future attacks upon Griqua Town. At nine o'clock this evening all the armed men left the village under the command of William Vischten, to execute the above plan.

December 11.—Since Saturday last we have all been in the greatest anxiety and suspense, longing to hear the result of our people's measure. This evening they arrived, and stated that yesterday they fell in with the Bergenaars, and a very smart skirmish of about an hour had been the consequence, and that they had succeeded in completely routing and putting to flight the enemy, and took from them 40 pack oxen and 13 horses. Two of our people were wounded.

December 25.—Some individuals arrived to-day belonging to the Bergenaars, who informed us that a number of the party had left home in quest of ammunition amongst the boors, for the purpose of making another attack, as soon as possible, on our village. This news exceedingly terrified our people, as they were without ammunition, and to withstand another attack in these circumstances was impossible.

December 29.—Owing to the report of the Bergenaars of the 21st instant being confirmed by other persons, who have arrived here from the same body, Waterboer considers it necessary, in order to keep possession of Griqua Town, and to prevent the free range of that lawless banditti, to ask assistance in ammunition from the brethren at Lattakoo, and he has this day dispatched two men in haste for that purpose.

January 8, 1828.—Received a letter from Mr. Moffatt, in which he informs me of an attack made on some Bechuana kraals by a party of the Bergenaars, who had succeeded in plundering the poor people of their cattle; by the same letter he informs me that he is unable to assist Waterboer with ammunition.

January 12.—Owing to the above state of things, the great distress of our people, for want of victuals, having eat up the remaining part of their cattle, their being kept on watch

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night and day, and left to their fate by all their friends, because of their conscientious opposition to the marauding system of the country, Waterboer is induced to make proposals of peace to the Bergenaars, if possible to preserve himself and people from destruction. Two men are this day sent away with a letter for that purpose.

January 14.—A large party of women and children, and a few men arrived here from the Bergenaars, seeking refuge; their anxiety amongst the Bergenaars being too great to remain longer, for fear of Waterboer's commando. They were received in a friendly manner by our people.

February 10.—Some females belonging to the Bergenaars arrived, and informed us that those people having replenished themselves with ammunition, which they had procured amongst the boors, it was their intention immediately to come against the station, and that the commando might be daily expected.

March 4.—The two men who carried proposals of peace to the Bergenaars returned to-day with an answer, which is, that they accept the proposals of peace, on conditions that Waterboer allow them to carry on their marauding depredations to the northward and to the eastward, unmolested; but that he must not do so much as open his mouth against them.

March 7.—Captain Waterboer left home for Graaff Reinet, to consult the landdrost there on the present state of the Griqua country.

March 19.—A family which had been detained amongst the Bergenaars arrived this morning, and informed us that they thought we had little cause to fear the Bergenaars more, as they were too much engaged in fighting amongst themselves to think of attacking Griqua Town. On this information we resolved to remain at our post, concluding, with no small feeling of joy at deliverance, that the war was ended. But although the danger and anxiety in which we have been may be over, yet what have we in prospect? Our people are ruined; they have no means of subsistence; they have no oxen to plough with; they have no friends but their missionaries and friends of missionaries, and had it not been for the assistance and encouragement they have met with from the Cape, they would all have been scattered; and how their dispersion is yet to be avoided I know not. They have been keeping watch night and day for the last nine months, to guard the station, in a state of great hunger and in a state of great anxiety, being occasionally almost without ammunition, by which alone they could resist attacks from the enemy. All the distress and losses and labour of these people might have been avoided, but it would have been at the expense of their principles, their character, their privileges, and all that was dear to them.

April 5.—Peter David, of Bootchah, arrived here on his way to the Bergenaars, with the intention of separating his brother from that lawless banditti, if possible, his brother Jan David being a chief man in that party.

April 20.—Peter David returned with a large party of Bergenaars, men, women and children, in a starving condition; they were kindly received by our people. Some of the party died of hunger after leaving this. Peter had not seen his brother, who was then on a journey to the boors. Peter further stated that the Bergenaars were in a most distressed condition, their cattle being all destroyed by sickness, by the Bushmen, and by their own broils; that they were without any subsistence.

May 7.—Waterboer returned from Graff Reinet, not having seen the landdrost, he being absent from home at Cape Town, and therefore had done no business.

May 31.—Peter David arrived here again on his way to the Bergenaars to fetch his brother Jan David.

June 10.—Information has been received to-day that a small party of Bergenaars, headed by Peter David, the eldest son of Jan David, had murdered two whole families of boors on the borders of the colony, in a most barbarous manner, and carried away all the property.

June 27.—Peter David came here this evening on his return from the Bergenaars. He informs us that he found those people actually in a state of starvation, dying daily from sheer hunger. He has succeeded in bringing his brother, and the whole party of the Bergenaars who were at home have followed him: 48 of the party have died of hunger since they have left the banks of the river, and they continue to die two and three daily.

August 31.—Sabbath-day. The commissioner, Van Ryneveld, arrived this morning at sunrise; he states that his business is to investigate the matter of the murder of the boors above mentioned by the Bergenaars. This evening we received a letter from Mr. Moffat, informing us that a commando of the Bergenaars had been at the Kuruman, but had been prevented doing mischief.

September 1.—This evening Captain Waterboer arrived from the Kuruman only just in time to see the commissioner, and to do business with him.

September 2.—The commissioner left us to-day about 11 o'clock for Philippolis.

The conduct of Waterboer, and the courage manifested by his people on this trying occasion, made a deep impression upon his enemies; but, from the neglect with which he had been treated by the colonial government, he came to the resolution that he would not again interfere with the affairs of the frontier further than when his own people were concerned.

The plundering tribes, who found shelter on the wooded banks and islands of the Orange River, soon came to know that Waterboer was abandoned by the colonial government, and several robberies and atrocious murders were soon after committed on the families of the boors. In 1832 two families were murdered in a very barbarous

barbarous manner, and the cattle and moveable property carried off, when Wm. Van Ryneveld, the civil commissioner of Graaff Reinet, sent a message to him, requesting him to meet him at a place called Priestkas, about 70 miles from Griqua Town. Mr. Van Ryneveld was there at the head of a commando, composed of about 370 persons, including boors and Hottentots, and was proceeding in quest of the murderers. The following is the account which I received from Waterboer of this interview:

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Owing to the murder of some colonists by a man named Stuurman and his party, I received a letter, dated 15th October 1832, from Mr. Van Ryneveld, civil commissioner of Graaff Reinet, who was then on his way in search of the murderers with a large commando. In that letter Mr. Van Ryneveld expressed his confidence in me, and desired I would be so kind as to meet him at "Priestkas," in order that he might have an opportunity of getting all the information I could give him respecting the murderers, and be assisted by me with two confidential men for guides. The above letter was received on the evening of the 17th instant, and early next morning, I proceeded in company with four boors who had been sent to request my attendance at the place above mentioned.

On the evening of the 19th instant, after two days hard riding, we arrived at Priestkas, where we found Mr. Van Ryneveld and his large commando. On my arrival Mr. Van Ryneveld, together with Messrs. Van der Walt, Oorholster, Hankam and Hendrick Stockenstrom, took me aside, when the following conversation took place:

Mr. Van Ryneveld informed me that he was there with a commando against the murderers, and inquired of me if I knew who they were, where they resided, and if I could not render him assistance. I replied by asking how he, Mr. Van Ryneveld, could send for me to obtain information and assistance in such a case, and stated that the murders which had been perpetrated on the colonists, and the great expense of that commando, were circumstances which might have been prevented, had the government supported me, as it had pledged itself to do, while I was active in its service. I further stated that I had received the sanction of the colonial government to my chieftainship; that I had entered into arrangements with the government to protect the frontier of the colony, and to render all the assistance in my power that might be called for to apprehend and punish such as might injure the colonists within or without the colony; that the government on its part pledged itself to assist and support me in the exercise of my authority; that I had received many letters from the civil authorities of the colony, expressing their confidence in me, and their approbation of my services to the colony. And I added, But, alas! to this day I had received nothing but promises, and that the government had rendered me neither countenance nor support when I stood in need of its assistance. I stated at the same time that, notwithstanding the manner in which I had been treated, I was still willing to render the government all the assistance in my power.

Mr. Van Ryneveld, and the commandants Oorholster and Van der Walt, said they were glad to see Waterboer; they felt convinced of his friendly feelings towards the colony; they knew he had not been wanting in rendering services to the colony; and they wished to embrace that opportunity of renewing the alliance, and of securing his friendship and future services.

Recapitulating a part of what I had before said to Mr. Van Ryneveld and the veld cornets who spoke on this occasion, I added that I had always sought the interest of the colony; that I was not conscious of any neglect of my duty to the colony; but that the government of the colony had been wanting in their duty to me, and that it was to this neglect we might trace the late murders, and the murders which had taken place before the recent murder occurred, and the evils which afterwards came upon Griqua Town and threatened its destruction.

I then stated to them the circumstances under which the government deserted me in July 1827, when the Bergenaars, and all the banditti on the Great River, combined against me, and nearly destroyed my people, for no other cause than this, that I was then zealous in the discharge of my duty to put down the disorders and robberies perpetrated by those people on the borders of the colony. Down to the period the government abandoned me in that struggle there were no disorders in the colony that I could not instantly suppress with the smallest handful of my men; but it was no sooner known that the government would no more assist me (and this was known to all the bad men on the Great River before it was known to me), than they all came together, making themselves sure of my destruction. Since that period the government has made no apology to me for deserting me on that occasion; and without such an apology or explanation of the events referred to in 1827, I have found it necessary to confine myself to my own affairs and those of my people. I then proceeded to give Mr. Van Ryneveld and the veld cornets an account of Stuurman, the murderer, and his party, and whom the commando was then in pursuit of.

Stuurman was for some time a subject of Cornelius Kok, of Campbell. He first began his depredations by the assistance of some of his relations. After these depredations had been continued for some time, and he had escaped without punishment, he was joined by all the bad characters in his neighbourhood. In those nefarious practices he became more bold as his strength increased; and no means were taken by Cornelius Kok to restrain or chastise him, even though his own subjects were sufferers by his evil proceedings. At Ramah, on the borders of the Philippolis territory, he fell in with a Bastaard, named Bezeidenhout, coming from the colony to Philippolis, and succeeded, by treachery and violence, in robbing him of 13 horses, 1,100 sheep, three guns and a number of cattle. With this booty he proceeded westward,

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westward, on the northern banks of the Great River. When the party came opposite Griqua Town I was informed of the fact, and that he was in the act of passing down the river with immense booty, and that a horse of Dirk Kok, one of my people, being missing, it was supposed that the said horse was stolen by this party. With 70 of my men I proceeded after them to recover the horse and punish the robbers, should the horse be found in their possession. In the neighbourhood of Priestkas I succeeded in overtaking Stuurman and his party. On the morning Stuurman and his party found themselves within the reach of our guns. In this posture I demanded the horse, which it was supposed he or some of his people had stolen; but fortunately for himself and his people, the horse was not with him; and having no proof that the horse was stolen by them, I allowed them to pass unmolested.

When the murders of the families of Faber and Van der Merwe were perpetrated, I was at Philippolis on a visit to Adam Kok; but on the fourth day after my return to Griqua Town I heard of the atrocious conduct of Stuurman and his party in this affair, and on the following day I proceeded with a commando of 200 men to recover the colonial property Stuurman had with him, and to bring him to justice; but finding that Stuurman and his party had passed that place on their way down the river 10 days before, and not having ammunition and provisions for a long journey, I felt myself compelled, reluctantly, to give up the pursuit, and leave the matter to the colonial authorities, who, I was assured, had been making arrangements to follow and punish the murderers by that time. But not being certain whether the information they might have received was come, and not being in a condition to proceed in the pursuit of Stuurman, I instantly wrote a letter to Mr. Van Ryneveld, giving him all the information I then possessed.

Having made the above statements, Mr. Van Ryneveld, the veld cornets, Van der Walt and Oorholster, expressed themselves as perfectly satisfied with my proceedings in this case, and further stated, that on their return they would make arrangements to see me and do business with me. They also stated, that in future I should be supplied with ammunition; that a regular communication between Griqua Town and the colony should be kept up, and that I should be remunerated for all my services to the colony; and as an expression of good feeling towards me, and as a pledge of the sincerity of that expression, Mr. Oorholster took his watch from his pocket and presented it to me. On this occasion I expressed my regret, that owing to important business at home I could not accompany them on their commando, but I gave them all the advice I could which might be useful to them to insure their success, and I sent with them five faithful men, who were well acquainted with every part of the country on the Great River, in which they might expect to find Stuurman and his party. Having exchanged civilities we parted; and what is further to be related of the proceedings of the commando you will hear from the five persons now present with Mr. Van Ryneveld, and to whose good conduct in the affair Mr. Van Ryneveld has borne ample testimony.

I have now before me the details of this commando, but on this occasion it would take up too much of the time of the Committee to hear them all read. It is enough at present to mention that the object of this large and expensive commando proved a complete failure; and among other facts its failure may be adduced as a proof of the great importance of the Griquas to the colony, and of the necessity of cultivating the closest and most amicable relations with them. About this period the affairs of Campbell under the chief, Cornelius Kok, were in great disorder. In 1832 the fountains of water, except those used by the chief himself and a person who bore the name of a missionary, were running to waste. The missionary was without any of the people to hear him, except the family of the chief, to whom he had been related by marriage, and the chief was without subjects, with the exception of the family of the missionary and his own domestic servants. The people had left their springs of water, and were scattered over the district, dissatisfied with the conduct of the chief and of the missionary, and without government. It was on this district, and by the connivance of Cornelius Kok, as has been shown by Waterboer's statements, that Stuurman, the head of a banditti that has done much mischief to the colony, committed many murders on the families of the boors, and on the very border of the colony had set its power at defiance, first began to acquire influence, to gather around him the desperate characters with which he began his depredations, and to commence the system of robbery which has since made him so notorious. I do not mean to intimate that Cornelius Kok at any time participated in the plunder brought into his district by Stuurman; but some facts came under my observation in 1832, which I mentioned to that chief, which proved that he knew of his proceedings and winked at them. The truth is this: Cornelius Kok had lost the confidence of all the good people in his district, he had become jealous of the character and power of Waterboer, and it was upon people of this description which he relied for present support, and for any help he might need in future to maintain what he might consider to be his rights.

The following letter from Waterboer will show that it was full time for the colonial government to employ any legitimate influence in its power to secure the peace of

of the frontier, and prevent the evils that might arise to the colony from having it disturbed in the manner it was then threatened.

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(A correct translation.)

(signed) *P. Wright.*

My dear Sir, Griqua Town, 4 December 1832.

OWING to the present state of things between Cornelius Kok, the present chief of Campbell, and myself, and the necessity of an interference on your part and on that of the colonial government, induces me to write you on this subject. If the Griqua chiefs have none to whom they can appeal to have their differences adjusted; if they are not by some general regulation reminded of their responsibility to their people, and to the colonial government from whom they receive their authority; and should the chiefs be left to adjust their own matters in their own way, that is, by strife, then the result will be shedding of blood, anarchy and confusion, the plundering and murdering of our neighbours the Caffres, and not unlikely, aggressions on the colonists. With respect to the chief, Cornelius Kok, of Campbell, I have to acknowledge that he was made a chief by the colonial government on my recommendation, a measure I am obliged to declare I have long had reason to regret, but which, at the time it took place, I considered would be for the promotion of peace, and for the general good of the country.

In 1823, owing to the disorderly state of the country, and the plundering and murdering of the Caffres, which was the result of the neglect of duty on the part of the old chiefs, I thought it advisable that a chief should be placed at Campbell, that place being an outstation of Griqua Town. Cornelius Kok, the present chief, appeared to me at that time the most suitable person connected with the district of Campbell to sustain the office of chief; and the colonial government, after hearing my reasons for recommending him, kindly acceded to my wishes in sanctioning him. For a short time after this appointment he proved fair, and I hoped he would answer the expectations I had formed of him; but this was of short duration, as he soon formed bad connexions, allowed himself to be misled by designing men, and has not only neglected his duty and driven away all the decent people who once resided in the district of Campbell (except his brother, Abraham Kok), but he has given countenance to Bergenaars, to the marauding system, and to Stuurman and his friends, the murderers of the colonists. This conduct I made known to Mr. Van Ryneveld, civil commissioner of Graaff Reinet, in October last, when I met him at Priestkas in the pursuit of the murderers.

Notwithstanding the unfaithful conduct of Cornelius Kok to me, to his people, and to the country, I held him by the hand, countenanced and protected him, till the month of July last; at that time I and my hemraaden commenced a friendly visit to the chief, Adam Kok, of Philippolis, and upon our way called upon the chief of Campbell, for the purpose of conversing with him upon general subjects connected with the welfare of the country. On entering his house he grossly insulted me, ordered me out, took off his clothes to fight with me, and threw my hat out of his house. I expostulated with him, and called for an explanation of his conduct, but in vain, as he was inaccessible to reason. Finding that I could not get a hearing, I went out of his door and picked up my hat; and I am since informed on good authority, that at the moment I was leaving his house he took up his gun, the gun I brought him as a present from the governor Somerset, and had it not been for the interference of his wife he would have shot me. I have here to state, should it be any extenuation of his bad conduct, that he was drunk with brandy. But his bad conduct did not end here; for the following day he forwarded a private letter to the chief of Philippolis, charging him to be aware of me; that his life (A. Kok's) was not safe in my presence. This letter fell into my hands; and I requested the chief of Philippolis to interfere between the chief of Campbell and myself, in order to an explanation before the business went further, and he promised me to do so; but hitherto he has evaded redeeming his pledge, and now the season for adjusting matters between us is for ever gone by. His character is impeached in the case of the late murders of the colonists, and taking into consideration the whole of his conduct for the last five years, and his continued obstinate state of mind, I consider it my duty to avoid all correspondence with him in future, and to leave him to his fate.

The colonial government ought at least to withdraw its sanction of his chieftainship, that he may no more be able to do mischief in the name of a chief having its sanction.

I remain, &c.

To the Rev. Dr. Philip, Cape Town.

(signed) *Andries Waterboer.*

The state of the Griquas under Adam Kok was not so bad as that of those of his brother Cornelius Kok; but the condition the Griquas of Philippolis were then in was one that required great attention and prudent management on the part of the colonial government, to prevent great evils that might arise from a contrary course of conduct. The good people in this district had not left it, as was the case in the district of Campbell; but from the too easy temper of the chief, Adam Kok, who was then entirely under the influence of bad people, they had come to the determination of leaving it and seeking another country for themselves, if an alteration in their circumstances did not soon take place. As such an event would

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have been the greatest calamity that could have happened to the colony in that quarter, because their places would soon have been filled up by the unprincipled part of the people of the neighbouring country, I did all in my power to dissuade them from acting upon the alternative they had adopted. All the hope of the good people of the district was then in Waterboer, and it was suggested that government should appoint him over the Griqua country; but to that plan the aged chief would not be reconciled; and my respect for the character of the aged chief, and my aversion to any measure that might involve the Griquas in a war with themselves, led me to think of more conciliating measures. The eldest son of the chief was wholly unfit to succeed his father, and this was felt and acknowledged by the father himself. It was then proposed that he should resign the government into the hands of his second son, who was an intelligent young man, who could read and write, was sober in his habits, and regarded by all the good people in the country as a man of sound judgment and good principles. In this the chief was then willing to agree, and it required nothing but promptness on the part of the colonial government to improve the opportunity then offered it to settle the affairs of that district in a manner that would have probably secured its tranquillity for years to come.

The following extract of a letter, dated 16th of July, addressed to Sir Benjamin D'Urban, will throw some light upon the subject:

Our missions have defended the northern frontier for the last 15 or 20 years, and have cost the colony nothing; and any difficulties which exist at this moment do not arise from the natives, but from the colonists. In a former communication I transmitted to your Excellency an alarming report from the Kat River upon this subject; and by a letter I received from Mr. Kolbe, the missionary at Philippolis, last week, the boors appear to have crossed the Great River, and to have migrated to the Griqua country in such numbers as to have filled the minds of the natives with serious alarm. Your Excellency will, I doubt not, see the propriety of protecting this people, who have deserved so well of the colonial government, against the boors, and of securing to them the possession of their country, freed from the annoyance and injuries they are now suffering. In education and intelligence the Griquas are a superior class of people, and may be brought to answer all the purposes government may require of them as a defence to that part of the frontier of the colony, when your Excellency shall have leisure to turn your attention to these affairs.

In a memorial I transmitted to Lieutenant-colonel Wade, when that gentleman was conducting this government, in the interim between Sir Lowry Cole's departure and your Excellency's arrival in the colony, I stated my views of the measures that might be adopted in reference to the Griquas. From the age and infirmities of the chief, Adam Kok, and the character of the person then expected to succeed him, it then appeared to me as desirable that Waterboer should be appointed as chief along the whole line of that frontier. I am now happy to state to your Excellency, that the necessity of placing Waterboer over the chief of Philippolis is no longer necessary. The aged chief is now willing to resign his office to his second son, who, from what I know of him, and have heard of him, appears to be a very fit person to succeed his father in his office. This old man has declared his eldest son as unfit for the office; and it appears that the appointment of the second son, whose name is Adam Kok, will satisfy all parties. Mr. Kolbe informs me that Hendrick Hendricks, the son-in-law of the chief, proposes that Girb Kok, an illegitimate son of the chief's, should be his successor; but as Girb Kok cannot write, he will have no support among the people; and from a letter I wrote to Mr. Kolbe last week, to be communicated to Hendricks, I am confident he will join in giving his consent and support to the second son of the chief. So far as the Griquas are concerned, there is not now the slightest difficulty in the way to prevent your Excellency from coming to an immediate settlement of the affairs of Philippolis. Your Excellency may proceed without an hour's delay; but if your Excellency would wish to see the young man proposed by his father to succeed him, and whom I take the liberty of recommending to your Excellency with that view, your Excellency might invite him, along with the missionary, Mr. Kolbe, and Hendrick Hendricks, to meet you on the Kat River; and if they get a communication from your Excellency in sufficient time to enable them to make the necessary arrangements, I have no doubt but that your Excellency will find them waiting there.

I received a letter last week from Mr. Wright of Griqua Town, stating that Waterboer was to undertake his journey to Cape Town in August to wait upon your Excellency. Knowing that your Excellency will have left Cape Town before the chief can arrive here, I wrote to Mr. Wright, by return of post, requesting him to advise Waterboer to delay his journey till your Excellency shall have returned from the interior.

The reasons I urged in my memorial to Lieutenant-colonel Wade, for appointing Waterboer chief of Campbell, have undergone no alteration since that period, and the state of that country calls for that measure as soon as possible. The chief, Cornelius Kok, is quite alone at Campbell, with the exception of our catechist, who resides by him, but he has none to teach but the chief's family, the people having been driven from their fountains by the conduct of the chief, Cornelius Kok. The colonial government is under no obligations to Cornelius Kok; but should your Excellency please to settle upon him 30*l.* sterling per annum, which

which is a small sum, to secure the important interests which will be gained by setting him aside to make room for Waterboer, enough will have been done to satisfy all parties.

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The Griquas have been accused of cruelty towards the Bushmen, of driving them out of their country, and of treating them with greater cruelty than the boors.

I never understood that when the missionaries discovered the fountains where Griqua Town now stands there were any tribes or persons in occupation of the the place. They found that part of the country empty, and they took possession of it. Shortly after they discovered some springs of water at a place which was named Campbell. This place was about 40 miles distant from Griqua Town, and there was only one Bushman and his family upon it; and Adam Kok, late chief of Philippolis, paid him 150 dollars for the fountain he claimed as belonging to him. This transaction shows that at a very early period, the Griquas had imbibed some principles of justice towards the Bushmen from the missionaries. This fact was brought to my knowledge by the following circumstance. When Campbell was put under the jurisdiction of Waterboer by the treaty Sir Benjamin D'Urban entered into with that chief, Adam Kok, the chief of Philippolis, preferred his claim for the 150 dollars he had paid for that fountain, which claim, after an investigation of the circumstances, was allowed, and the money was paid to him.

In the early part of the history of the Griquas it is probable that they came into frequent conflicts with the Bushmen, and dealt cruelly with them. The Griquas were then in that state which Adam Ferguson, in his admirable work on the progress of civil society, has described as the most bloody period of a nation's history, when a nation or people is emerging from a state of barbarism into a state of civilization. It is probably that period of the history of the Griquas to which Captain Stockenstrom refers, where he blames the conduct of the Griquas towards the Bushmen. My acquaintance with the Griquas is of a more recent date, my first visit to that country being in 1825; and in bearing my testimony to the humanity of the Griquas, I wish it to be understood that I do not mean to go farther back than to the period when my personal acquaintance with the Griquas and their country commenced. In 1825 I visited many Bushmen kraals that were under the protection of Waterboer and the other Griqua chiefs, and I found all the Bushmen I came in contact with at that period looking up to the Griquas for their protection, and on the most friendly terms of intercourse with them. For corroboration of my statement on this point, I can appeal to the statement of Mr. Melville, government agent at Griqua Town, and to all the letters of the missionaries during that period. In 1832, I again visited that country. During that journey I spent 17 days in what was lately a Bushman country, a country consisting of about 40,000 square miles, taken from the Bushmen a few years before, and I did not find one Bushman kraal in the whole of that country, and not more than two Bushmen and one Bushwoman not in servitude to the boors; and these miserable objects, who were in quest of their children, were obliged to conceal themselves during the day and travel by night, for fear of being shot like wild beasts. Between Philippolis and the Yellow River, in the Griqua country, I found 11 Bushman kraals. Passing those kraals, I inquired particularly as to the conduct of the Griquas towards them, and, without a single exception, they spoke of the Griquas as their benefactors, and the only people to whom they could look up for protection. It is not my intention to assert that no acts of cruelty had been committed on any of the Bushmen by Griquas from the period I first visited that people, but I am well persuaded that nothing has been done against the Bushmen by the Griqua chiefs and the body of the people, of a recent date, to affect the character of the Griquas. Waterboer has always been the friend of the oppressed and particularly of the Bushmen, and I did not meet with a single Bushman in 1825 or in 1832, who did not speak of Waterboer with the warmest expressions of gratitude. The Griquas at our missionary stations and the Bergenaars, to whom the former have been opposed for many years, on account of the disorderly conduct of the latter, have been often confounded in speaking of the state of things beyond the northern frontier; and owing to the above circumstance many of the actions of the Bergenaars have been ascribed to the Griquas, which may be allowed in extenuation of the conduct of some who have brought unjust charges against the Griquas. Perhaps we can scarcely make a better reply to the charges brought against the Griquas in the Minutes of Evidence than by referring to the conduct of that people towards the Bergenaars in 1827, while the latter were aiming at the destruction and panting for

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the blood of the former. The Bergenaars had taken away nearly all the cattle of the Griquas, and thus reduced that people to a state of starvation, and had slaughtered the prisoners in cold blood at only a short distance from the town; yet when any of the Bergenaars threw themselves upon the mercy of the Griquas, they were kindly received. When a large party of women and children belonging to the Bergenaars became alarmed at their situation, dreading an attack from Waterboer, left the camp of their own relations and came to Griqua Town, the very place which their relations, probably their husbands and fathers, were fighting to destroy, they were received in a friendly manner. On another occasion, "When Peter David returned to Griqua Town," says Mr. Wright in his journal, "with a large party of Bergenaars, their women and children in a starving condition, they were kindly received by our people." When do we find in the history of civilized nations a finer example of the triumph of religion over the evil passions of our nature, or a better exhibition of the precepts of the Gospel, "Bless them that curse you, and do good to them that despitefully use you."

Captain Stockenstrom has said, that he found charges brought by me against the farmers and the local authorities very much exaggerated.

Without a distinct reference to the particular cases Captain Stockenstrom had in his eye when he made the above statement, I have no means of replying to this general charge. Supposing the farmers and the local authorities of the colony the sole witnesses in such cases, as might probably happen in the instances to which Captain Stockenstrom may refer, I have no reason to be surprised that he should have come to such a conclusion; but was it not the duty of the colonial government to have sent me Captain Stockenstrom's report on these charges. I have no recollection of having at any time brought charges against farmers or local authorities in the colony, that I did not, when called upon by the government, establish; and though I have not the slightest recollection of what those charges are to which Captain Stockenstrom alludes, yet, from the care I have always exercised in presenting charges to the government against farmers or servants of the government, I feel no hesitation in saying that I am still prepared to show that I had ground for any charge of the kind I ever made, provided I be furnished with the means of doing so, by having the charges in question made known to me. But was it proper in the colonial government to receive a report respecting my charges, and to send those charges and that report to the home Government without giving me a hearing; and surely it can never be conceived that my character has been at all committed by a report, respecting which I have to this hour been left entirely ignorant, without any opportunity being afforded me of explaining or establishing the charges in question. I have been accused of giving an exaggerated statement of the missions of the London Missionary Society to the Government. I cannot form even a conjecture of what this statement can be; but I am not afraid that any man or government can convict me of exaggeration in any statement I ever made with regard to our missions in South Africa. I am fully conscious that in all my statements on this subjects I have always underrated the efficiency of our missionary labours in Africa, and no view given by me of the effects of our labours in that country comes up to the truth. My reports have been drawn up with the strictest adherence to the facts and often to the very words which have been communicated to me by the missionaries, who live on the stations and have the best means of knowing the truth of what they assert, and whose known principles and character will clear them from any suspicion of wilful misstatement or exaggeration.

I was not a little surprised to find myself, in the Minutes of Evidence taken before the Committee, accused of having by a formal and written paper given over the country about Philippolis to the Griqua chief Kok and his people.

When I was in England the people connected with the Bushman mission of Philippolis and the Griquas having had some differences, agreed to separate, and the station of the Bushman mission was removed to Caledon River, and the chief Kok and his people were left in possession of the site of the mission, and the buildings upon it.

A bargain was entered into between Mr. Clark, a mechanic connected with the mission, and the chief Kok and his people, by which Clark and those with him agreed to give up the buildings, on the condition that the buildings were paid for. On my visiting Philippolis in 1832, the chief Kok and some of his counsellors told me that the country was their own; that they had bought it from Mr. Clark, and that they had paid him for it. I immediately sent for Clark, and on examining him upon the subject, I received from him the account of the affair I have related; I then

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I then told the chief that this transaction with Clark could give him no right to the country; that neither Mr. Clark nor myself, nor any person belonging to the London Missionary Society, had any right to give away the country; and that he had merely bargained with Clark for the buildings, and not for the country. Mr. Clark had given a written document to the chief Kok, making over the buildings to him and his people, and this must have been the document to which Captain Stockenstrom alludes, as no document of the kind was given by me to the chief Kok, or to any one else. The subject was one of which the chief Kok and his people were very full when I visited Philippolis; and it must have been owing to some confused accounts of this affair Captain Stockenstrom had heard at Philippolis that he had been led to mix up my name with it.

In 1833, at the request of Colonel Wade, I drew up for him a document on the northern frontier of the colony, in which I recommended certain changes to be made in relation to the chiefs of Campbell and Philippolis. Concerning the above document he was pleased to speak favourably to myself; and on my first introduction to Sir Benjamin D'Urban, Colonel Wade mentioned the document to him in my presence, and recommended to him the adoption of the changes I had proposed. At the time the document in question was drawn up the affairs of Philippolis were in a bad state, and the retirement of the chief from his office was then considered by a large proportion of the people, which included all the respectable part of the community, as necessary to the safety of the people and of the frontier. In 1834 I heard from the missionary at Philippolis, and by other means, that the aged chief had thrown off some of his evil counsellors, and had begun to listen to better advisers, and that it was the opinion of those who formerly were urgent for a change, that it would be advisable, taking all circumstances into account, to allow him to retain his office. On both occasions I considered myself the organ of communication with the colonial government, and having always had a kindly feeling towards the old chief, I instantly felt glad that there was a prospect that he could be continued in office on a principle consistent with the good of his people, and the safety of that part of the frontier of the colony. I recommended to Colonel Wade in 1833, as acting governor, to remove the chief from his office, not from his country; and although Colonel Wade was not in the government when I met him on the Kat River, and had no longer power to remove the chief, or to confirm him in his office as the chief, and some of his people were on the Kat River waiting for the governor to enter into a treaty with him, it was natural when I saw Colonel Wade on that occasion, that the chief and his counsellers who were with him should have been the subject of conversation, and that I should mention the altered state of things between the chief and his leading people. The son-in-law of the chief had been represented for several years as one of the worst men in that country. He had been for some years a leading man among the Bergenaars; he was engaged in the commando against Maselikatze. When I was at Philippolis in 1832, he was represented as exerting a pernicious influence over the mind of his father-in-law; he was always the advocate for war; he had a strong anti-colonial feeling, which he did not attempt to conceal, and he was regarded with apprehension and dread by all the best people in the district; but in the beginning of 1834, a change was said to have taken place on him for the better. Mr. Kolbe, the missionary, began to think that he was improved, and although he still had doubts concerning him, he gave it as his opinion, and as the opinion of many of his people, that as matters stood it would be more advisable to have him as a friend than as an enemy. Now, I would ask, can it with propriety be affirmed that the improvement said to have taken place in the chief's government and in the son-in-law were impossible, or can it be asserted that any change for the better was to be deprecated, or that I was guilty of any moral delinquency in this case, in mentioning what the people of Philippolis wished me to report to the governor.

It has been said that the Griqua chiefs had as good a right to their chieftainships as any other independent chiefs have to their territory, and the authority they exercise over their people, and that the colonial government has no right to interfere in their concerns. The assertion that the rights of the Griqua chiefs stood upon the same footing with those of the independent tribes of the interior beyond them, is an assumption that could not have had any place in the minds of persons at all acquainted with the history of this people. When the missionaries Anderson and Kramer, first went among this people, they found them wandering on the borders of the Beaufort and Clanwilliam districts; after accompanying

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them five years and a half, and their instructions began to have an effect upon them, the people wished to leave their wandering life and become cultivators of the soil; but they wanted springs of water in that country to enable them to live in our society, and it was to effect this object that the missionaries undertook the journey, in which the springs of water, where Griqua Town now stands, were discovered, and they took possession of them, not in the name of any individuals, but in that of the London Missionary Society. On the return of the missionaries to the people, they informed them that they had found a place for a missionary institution, and from the first day of their settlement at this place, it was agreed to by the people that they were to be there as at an institution which should be subject to the regulation of the missionaries. The only chief which the Griquas had amongst them previous to this period, was old Kok, and he was so far from being an independent chief that he had then the staff of a Hottentot captain, which he had received from the colonial government, and he did not then accompany them to the new territory, but returned to his friends at the Kamiesberg. Some years afterwards he came to Griqua Town, and wished to be recognised as chief of the place, and his pretensions were rejected by the missionary and the people. Previous to Kok's coming among them the missionaries had discovered the springs of water at the place called Campbell, and had fixed upon it as a place to relieve the population of Griqua Town, and the old man, at his request, was allowed to go and settle with his family at this place, where he lived and died as a private person. When the missionaries saw it proper to separate the civil from the religious affairs of the institution, they recommended it to the people to make choice of a chief as a civil magistrate, and Adam, or Dam Kok, as he is commonly denominated, was the person chosen on that occasion; but the missionaries, who always inculcated upon the people submission to the colonial government, did not allow his election to be valid till they had solicited and obtained the sanction of government to it, and at their request a captain's staff were sent to him from Graaff Reinet. In 1826 Cornelius Kok, of Campbell, was appointed as a chief at that place by the government, at the recommendation of Waterboer.

In reference to the origin and nature of the power of the Griqua chiefs in general, I beg leave to subjoin the following extract from a letter of the chief Waterboer, which will satisfy the Committee on this point:

My Dear Sir,

We owe every thing to the blessing of God upon the labours of the missionaries in the service of the London Missionary Society. We were no people when the missionaries found us, and it was under these circumstances we became a people. We had no country of our own when the missionaries came among us, but were wandering about as fugitives without a settled abode; and it was the missionaries that found a country for us, and persuaded us to settle on it and cultivate the land. Adam Kok's father was originally a Hottentot captain in the colony, and came to Griqua Town with a pass from the colonial government. Adam Kok had previously joined the mission at Griqua Town, not as a captain, but as a private individual. It was not his father's captainship in the colony that was the origin of his office as a captain at Griqua Town, but the choice of the people and the recommendation of his appointment by Mr. Anderson to the colonial government. I consider the captainship among the Griquas as originating with the people at the missionary stations, and recommended by the missionaries as a necessary step to preserve order at the stations. I likewise consider the whole of the power of the Griqua captains as a delegated power, to be assumed for the benefit of the people, and the spread of the Gospel in the country and among the heathen beyond the Griqua country. For the proper exercise of this power, I consider the chief of the Griquas responsible to the people and the London Missionary Society in every thing that has a relation to the well-being of the missions and the promotion of religion and morals among the people. It was at the recommendation of the missionaries that the sanction of the colonial government was asked and obtained to our election as the chiefs of the Griqua people, and this sanction could not have been asked on any other principle than that on which our election was recommended, "the well-being of the missions and the people in general." I consider the circumstance of the chiefs accepting office from the colonial government as an acknowledgment of their dependence on government for their office as captains; and I consider the government which sanctioned my appointment as having a right (reason being shown for such a step,) to withdraw that sanction, and to withhold from me any immunities the office of captain may entitle me to, as far as my political relation to the colony is concerned. Agreeably to your request, before I close this letter I shall give you a brief account of the origin and progress of Campbell station down to the period at which the appointment of Cornelius Kok received the sanction of the colonial government. In the month of November 1804 I accompanied a party of our people who escorted Mr. Kok, a missionary to the Bechuana country, and on our return to Griqua Town, we journied to the eastward, and in the month of March 1805 we came down upon a number of excellent fountains, situated in a large valley running north and south, to which we gave the

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the name of "Knovat Valley." After our return home it was frequently the subject of conversation among us to commence agricultural pursuits at this new place, but nothing was commenced till the year 1811, when Mr. Janze, one of our missionaries, accompanied by Mr. Burchell, Adam Kok, the chief of Griqua Town, and a number of their people, went as far as Knovat Valley, and at their arrival at that place, Mr. Janze took possession of the fountains and valley in the name of the London Missionary Society. On the return of Mr. Janze to Griqua Town, he and the other missionaries made arrangements with a respectable Griqua, who went by the name of Short Adam Kok, uncle of Adam Kok the chief, and brother of old Kok the father of the said chief, who with a party of his friends went soon after to occupy the said Knovat Valley as an out-station of Griqua Town. Short Adam Kok, with three of his brothers, viz. William Kok, Gert Kok and Abraham Kok, also two of his brothers-in-law, Dick Boer and Jager Boer, and likewise a nephew of his named Adam Balie; these persons removed to Knovat Valley, agreeably to the recommendation of the missionaries. In the year 1813 Mr. Campbell visited the Griqua country, and Knovat Valley was called after his name, Campbell.

In 1815, old Cornelius Kok, who was a Hottentot captain within the colony above referred to, removed to the Griqua country, with a pass from the governor, Lord Caledon. He first took up his residence for a short time at Griqua Town, but at the recommendation of Short Adam Kok, he removed to Campbell, and there took up his fixed residence as a private individual merely, and was allowed to possess an unoccupied fountain with lands for his own personal use. In the year 1816, Cornelius Kok, the present chief of Campbell, removed to Griqua country, in order to reside near his father. On his arrival he was not put in possession of any fountain or lands of his own, but was granted some agricultural privileges or suffrances. Owing to the chief Adam Kok's abandoning Griqua Town, and going to reside at Black River, I was chosen chief in 1820, by the people, in Adam Kok's stead. The choice was recommended by the missionaries, and approved of by the directors of the London Missionary Society, and received the sanction of the colonial government in the year 1822. Owing to the difficulties of the country, and the distance from Campbell to Griqua Town, with some other parts of the territory towards the Vaal River, in 1824 I thought it would be a desirable thing to have a chief at Campbell to preserve order in the country, and to promote the interests of the missionary labours in that district; I thought it advisable, with the concurrence of the missionaries, to recommend Cornelius Kok as chief of Campbell, and on the application being made by me to the colonial government to sanction the appointment, the government was induced to accede to the proposal, and since that period he has continued to sustain the appellation of Captain of Campbell.

(signed) *Andries Waterboer*,
Chief of Griqua Town.

To Rev. P. Wright, Missionary,
Griqua Town.

There is another mode of settling the affairs of the Griquas, and of that part of the colonial frontier on which they are situated, which I have long thought desirable, and which I recommended to Sir Lowry Cole and Sir Benjamin D'Urban. From the circumstances under which the Griquas have hitherto been placed, the most sensible and moral part of them have for some years past looked forward to their country being received into the colony, as the only remedy to the evils to which they have been exposed, and which has long threatened their existence as a people. When I was in that country in 1832, I was deputed by Waterboer and the whole of his people, and by a large proportion of the people under the Koks, to apply to the colonial government on this subject, and conversing with Sir Benjamin D'Urban respecting it immediately before I left the colony, he approved of the plan, and promised to forward to the Home Government a memorial I had prepared on the subject, and which I left to be delivered to him immediately before I sailed for England. Ever since I have formed fixed opinions on this subject, I have always considered it of the last importance to have belts of civilized natives between the colonists and their less civilized neighbours. The people in our immediate neighbourhood, who have worked themselves up to a knowledge of our character and power, and who have acquired any portion of the civilization of Europeans without losing their sympathy with their uncivilized brethren, would unite the colonists and the uncivilized tribes by internal bonds, and operate in preventing collisions from taking place between them.

On this principle I think it will be a matter to be regretted if the new province shall be again dissevered from the colony. Had I been consulted before the Caffre war on the propriety of annexing the country between the Keiskamma and the Kye to the colony, I should have said, let the Caffres alone, the work of civilization is going forward among them, and in a little time what you wish for will come of itself, without violent means being necessary to bring it about; but now that the thing has been done, there are many considerations which make it desirable that the recent treaty, with such modifications as may be deemed necessary, should be confirmed by the British Government.

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We now come to the consideration of a few general principles, necessary to the establishment and maintenance of any system of international law that may be adopted on the frontiers of the colony between the British Government and the aboriginal tribes living on or near our borders.

To secure the objects we have in view, it is necessary to do justice, and to deal openly and fairly with the chiefs in alliance with us, to treat them with good faith, to encourage them to do well, and to protect them against aggressions from the colonists. For this last purpose, let the jurisdiction of the supreme court be extended to murders and other crimes, or injuries committed by the colonists on the persons or property of the aborigines beyond the boundary. The state of things as they at present exist, exhibits a strange anomaly, disgraceful to a civilized country. We compelled Gaika to strangle two of his men for the murder of two soldiers. We have been in the habit of threatening the neighbouring tribes with commandos when traders or others have been murdered by them; the death of Purcell, though said to have been punished by Hintza, was assigned as one of the reasons for visiting him with the horrors of war, and yet it is a known fact that our supreme courts will not take cognizance of any offence, or even of murders, committed by colonists beyond the boundaries of the colony.

It will be desirable that the colonial government should enter into written treaties with the chiefs, as in the case of Waterboer, and that the punctual fulfilment of the stipulations of the colonial government in favour of the native chiefs be strictly attended to, so long as the said treaties are considered to be in force.

One of the first steps to be adopted to secure the peace of the frontier and the prosperity of the colony, will be to put a stop to the practice of the boors in crossing the boundaries of the colony at certain seasons of the year with their numerous flocks and herds. In 1834 there were said to be about 1,500 boors on the other side of the Orange River, and for the most part in the Griqua country. Of these there were 700 boors, for several months during that year, in the district of Philippolis alone, with at least 700,000 sheep, cattle and horses. Besides destroying the pastures of this people, in many instances their corn-fields were destroyed by them, and in some cases they took possession of their houses. This evil has been increasing for years, and all that time the Griquas have been remonstrating; but nothing has yet been done effectually to check it, and consequently, when the Griquas remonstrated with the boors, the latter replied, that it was useless for the former to complain, because the government would pay no attention to their complaints; and that if the government interfered, it would only be to grant the Griqua country to the boors. Nothing but the influence of the missionaries and of Christian principles restrained the Griquas from attempting to expel them their country by force of arms; but if this practice shall be continued much longer it will be impossible to prevent a conflict that will be the occasion of shedding much blood, and of bringing upon the colony and the nation consequences that one scarcely dares to contemplate. Feeling the importance of this subject, I have treated it more at large in a document I have with me, which may either be read to the Committee now, or given in to be published along with this document. As a summary of those principles necessary to put a stop to the state of disorder that has so long prevailed on the frontier of the colony, and has been the cause of so many evils to the colony itself, as well as to the tribes adjoining it, I know of nothing more comprehensive, more just and philosophical, than what is found on this subject in a speech of the chief Waterboer, delivered at a missionary meeting at Cape Town, Cape of Good Hope, January 1835. "I feel that I am bound to govern my people by Christian principles. The world knows by experience, and I know in my small way, and I know also from my Bible, that the government which is not founded on the principles of the Bible must come to nothing. When governments lose sight of the principles of the Bible, partiality, injustice, oppression and cruelty prevail, and then suspicion, want of confidence, jealousy, hatred, revolt and destruction succeed. Therefore I hope it will ever be my study that the Bible should form the foundation of every principle of my government; then I and my people will have a standard to which we can appeal, which is clear and comprehensive and satisfactory, and by which we shall all be tried and have our condition determined in the day of judgment. The relation in which I stand to my people as their chief, as their leader, binds me by all that is sacred and dear to

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seek their welfare and promote their happiness; and by what means shall I be able to do this? This I shall best be able to do by alluding to the principles of the Bible. Would governors and governments act upon the simple principle by which we are bound to act as individuals, that is, to do as we would be done by, all would be well. I hope by the principles of the Gospel the morals of my people will continue to improve, and it shall be my endeavour in humble dependence on the divine blessing, that those principles shall lose none of their force by my example. Sound education I know will civilize them, make them wise, useful, powerful and secure amongst their neighbours; and the better they are educated the more clearly will they see that the principles of the Bible are the best principles for the government of individuals, of families, of tribes and nations." The conduct of the chief Waterboer is in strict accordance with his Christian philosophy and the principles of government he has laid down for his own guidance. Among other circumstances that might be adduced confirmatory of this opinion, we may notice one to which reference was made at his interview with the civil commissioner Ryneveld at Priestkas. Waterboer had heard that Stuurman was travelling with his followers along the southern bank of the Orange River, and one of his own people who dwelt on the opposite bank of the river having missed a horse, and it being supposed that it would be found with Stuurman, Waterboer came upon him in a way that would have secured him an easy victory, had Waterboer been less scrupulous as to principle than he was. The following is the account that Waterboer gave to the civil commissioner of this affair. "In the neighbourhood of Priestkas," says the chief, "I succeeded in overtaking Stuurman and his party. In the morning Stuurman and his party found themselves within the reach of our guns. In this posture I demanded the horse which it was supposed he or some of his people had stolen; but fortunately for himself and his people the horse was not with him, and having no proof that this horse was stolen by them, I allowed them to pass unmolested." In the version of this affair, as it was related to me by some of Waterboer's people, several circumstances are omitted that are worthy of being recorded. Stuurman was at that time possessed of considerable property in sheep and cattle; he and his people and property were entirely in the power of Waterboer. The Griqua chief and his party had come upon him and his party before dawn, and in the morning Stuurman and his men, fifty in number, found themselves surrounded and entirely at the mercy of Waterboer. In the conduct of Waterboer, in this instance, we see nothing of the spirit of injustice; he did not take advantage of his situation and shoot them, which he could have done while unprepared to make any resistance, on the presumption that they must have stolen the horse. Before firing a single shot, he gave them an opportunity of proving their innocence. Waterboer might have presumed that the horse had been sent on before Stuurman with other horses or cattle, or to announce to the women in his kraal some message; but the horse was not found with Stuurman; and the Griqua chief possessed a conscience, and he could not shed men's blood without a proof that would satisfy his conscience that they were guilty. He might have demanded a horse from Stuurman, and he might at the same time have demanded a fine of five or six horses to indemnify him for the expense of his commando, and he might have told Stuurman to go and catch the thief, and indemnify himself. But Waterboer had been taught his morality from the Bible, and when he did not find the stolen horse with Stuurman, he allowed him and his party to pass unmolested. If Waterboer governs his people and defends them on Bible principles, I do not see how the same principles may not be introduced into our frontier policy, or why we may not look to such a man as Waterboer for a lesson on this subject. Whatever may be said of his origin or of the colour of his skin, his principles are sound, and his example is worthy of imitation.

In advocating this cause we may avail ourselves of any legitimate aid within our reach: it is to be lamented that any success that may attend the adoption of any new and improved scheme of frontier policy, will, in a great measure, depend upon the character of the agency which may be employed to carry it into effect; but the more I reflect upon the subject, the more I am satisfied that we shall be able to do but little, so long as any scheme for the setttlement of our frontier affairs shall rest solely on the grounds of expediency, the calculations of interest, the character of the agency which may be employed, the humanity of the governor, and other contingencies, not always subject to any wise or salutary control.

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control. We shall be able to do nothing to establish a better system of things, possessing a character of permanency, without the assistance of higher principles. We must have a principle on which to base a more equitable system, that will settle the controversy on this subject, in the authoritative manner in which the Almighty settled the controversy between Job and his friends. We must be able to come into court and to assert the claims of justice on principles paramount to all human authority. We must not be content to plead for justice as an advocate may plead for his client, when the advocate is obliged to become the apologist. We must take higher ground. We must lay down, as the basis of any system of international law we may wish to see introduced to regulate our intercourse with our neighbours on the borders of our colonies, that principle by which kings should rule, and princes decree justice. The most despicable interest on earth will be listened to before justice, if her friends allow her to stand before governors and judges as a suppliant asking alms; the cause is all but lost, the moment we cease to fight her battles with her own weapons, or descend to lower ground than that on which the throne of God is built, and by which he wills that the earth shall be governed. The difficulty of maintaining amicable relations with the tribes and nations on the borders of our colonies is with us, and not with them.

One of the first steps towards the establishment of amicable relations with the tribes on the frontiers of the colony will be the abandonment of the commando and patrol system. My objections to the system are these: First, It is unnecessary. We govern and defend our Indian empire against all our neighbours without it, and no reason can be urged for its continuance at the Cape of Good Hope that might not be brought forward to justify its introduction on the borders of our Indian possessions. Secondly, It is unjust in principle; and as there is no medium between justice and injustice, if we would govern our colonies on the principles of justice, the system admits of no modification, but must be wholly abandoned if we would act justly towards our weaker neighbour. Thirdly, It is as impolitic as it is unjust. In any country in which such a system is carried on, the seeds of humanity and civilization cannot flourish; so long as it is retained it must keep the colonists in a state of semi-barbarism, operate as a blight upon their prosperity, deteriorate the neighbouring tribes in their character and condition, prevent among them the growth of industry and settled habits, prevent them from ever having the means of being useful to us or to themselves in the way of trade, and continually involves us in ruinous expenses by the wars to which it must give rise. Fourthly, It is diametrically opposed to all the laws of natural and revealed religion; the annals of heathenism and of barbarism can show nothing more unjust, more cruel and bloody, or more of character truly savage, than the treatment our helpless neighbours have received and are receiving at our hands. From the long continuance of the system we deprecate, men have begun at home and elsewhere to regard this system of robbery and extermination as one of the immutable laws of God, as a something to be acquiesced in as we do in the cholera, and in the law of death, for which there is no remedy. On this subject the understandings and feelings of men have been grossly abused, but the delusion has, I trust, reached its utmost limits, and one thing must result from the labours of the Committee, that things will in future be called by their proper names. There is no law of God that sanctions robbery and murder, and the extermination of men, because they have black skins, and live upon milk and wild roots, or because they are too weak to assert their own rights; and there is no necessity that can be urged in this case that may not be urged with equal propriety to justify the slave trade and slavery, and highway robbery and murder. The blood of nations is crying from the ground against us; the very Caffres say, If there is a God there must be a day of retribution, when England and Englishmen must be punished for their bad faith, and the enormous wickedness they have practised against us; and the voice of truth, issuing from the lips of that injured people, is confirmed by every page of the sacred record, and finds an echo in the heart of every man who has a conscience towards God and man. Fifthly and lastly, The present system can no longer be carried on; we must either recur to the principles of justice in our relations to our weaker neighbours, or we must incur an expense in defending the Cape colony that this country will not consent to defray. If the present system be continued, 10,000 troops will not be sufficient to defend its extended frontiers. We may be justified in supporting such an expenditure for the defence of India, but it is impossible

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ble that England can seriously think of such an establishment for South Africa, which, in comparison of India, so far as British interests are concerned, is little more than a worthless desert. Is England to waste her blood and treasure, and to exterminate tribe after tribe, and nation after nation, that the boors and farmers in South Africa may in all future ages dwell alone, having estates from 8 to 24 square miles each; that they may reign alone over a few Hottentots and slaves beyond the reach of all salutary control? If the old system is to be continued, you will not only need an army cooped up in barracks, or distributed over a chain of forts, to repel the aggressions of the tribes and nations beyond us, but it will be necessary to construct every boor's house on the frontier into a fortification, and to allow every family in the neighbourhood of the frontier 8 or 10 soldiers to defend it. All the tribes on the borders of the colony are, through various causes, advancing in that knowledge which may be emphatically called power, with a rapidity of which very few of the colonists have the slightest conception. To illustrate this opinion it is necessary only to notice in passing the history of the Caffres. In 1834 no one could persuade the abettors of the patrol system that the Caffres were not in the same condition they were in 1819, when they met us in masses in the open field, and were then driven before us like a helpless mob before regular and disciplined troops. No one can read the letters of Colonel Somerset, from 1830, published in the Minutes of Evidence that have come before the Committee, and attend to the circumstances under which the Caffres were repelled from the Kat River and from the Gaya, and review what has been brought forward, showing the increased activity of the patrols down to the breaking out of the war, and compare that state of things with what followed, and not feel that we had till then cherished a most unreasonable contempt of the Caffres, and that those who ought to have been best acquainted with the actual state of things were the only people in the colony who were altogether ignorant of them. They had seen a whole nation year after year suffer itself to be bearded by a patrol of 18 or 20 men, and they appear to have come to the conclusion that a handful of men, headed by a military officer, would at any time be sufficient to intimidate or subdue the whole Caffre nation. When the late formidable commando, assembled to enter Caffreland in 1835, crossed the Fish River, scarcely an individual connected with it seemed to have any other idea than that all that was to be required would be accomplished in a few weeks. On the 10th of May, when the governor published the proclamation of that date, it was supposed that the war was at an end; that we had entered upon a peaceable possession of our new province. After a war of nine months, it was discovered that we could not expel the Caffres from the Amatola Mountains, and after a waste of blood and treasure, the governor was obliged to give them the terms they would have accepted before a British soldier in the commando set his foot in Caffreland. In the meantime, during the whole of their arduous and protracted struggle, the eyes of all the nations and tribes from the Kye to Delagoa Bay, and from the Orange River to the 22d degree of south latitude, have been upon us, and they were restless to know what the result would be. In the first instance they entertained no doubt as to the issue; after they heard of the commencement of the war, they expected to hear every day that the Caffres were subdued; and the only question they asked was, "Will the British leave the Caffres their country, or will they take their country from them?" During the whole time this struggle continued, some of the remote tribes were in the habit of sending messengers to those situated on the colonial boundary, to hear and report the last intelligence from Caffreland. I was told by the Rev. Mr. Cosalis, a French missionary, that the chief Moshis, with whom he resides, between 200 and 300 miles north-east of Philippolis, on the northern boundary of the colony, was in the habit of coming to him as frequently as he could to ask his opinion of the Caffre war, and of its probable results. When Moshis, and the other chiefs in that quarter, knew of the proclamation which annexed Caffreland to the colony, the intelligence produced a most unfavourable impression upon their minds, and every one seemed to feel for himself and his tribe, as if the counterpart to that which had happened to the Caffres was awaiting them. They said there was no standing against the white men. Soon after this, however, they found that the Caffres were not subdued; and on hearing of the determination of the Caffres, and of the formidable resistance they were making, one of those chiefs said, "Well, God is with the right." One of the greatest evils that has arisen out of the late war has yet to be noticed. Previous to its commencement the colony was looked upon as invulnerable; but

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that spell has been broken by the resistance of the Caffres, and there are at this moment Coranna chiefs north of the Griquas who now look upon our power with contempt. From the gradual manner in which the Cape colony has been extended; from the peaceable manner in which the Hottentots had submitted to the colonial yoke; from the extermination of the Bushmen between Graaff Reinet and the Orange River, and from the manner in which the Caffres had retreated before us from the Sundy River to the Fish River, and from the Fish River to the Keiskamma, I had formed an opinion that in this way the aborigines of Africa would ultimately be exterminated, and that future ages would have nothing but tradition to tell them where the tribes and nations now inhabiting the continent were fixed. Recent discoveries and observations have, however, corrected and modified that opinion; and at this moment it appears to me to be doubtful whether the white men or the black men are to be doomed to perish, should the old system be much longer pursued. It is but a few years since we knew anything of Dingaan, and that that powerful chief took any interest in the affairs of the colony. Since then we have been gradually encroaching upon our neighbours that lie between the colony and his country; and he has not been an indifferent spectator to our proceedings. Already we began to dread his power, and to talk of extending our eastern frontier, so as to have a better defence against him, should he think of attacking us. It is scarcely seven years since we heard of the name Mosalikatsi. It was in 1832 that that powerful chief subdued the Bechuana tribes, whom Mr. Campbell has described in his second Journal, when he visited them a few years before, and the name of the conqueror had not then reached them. In 1832, when I visited Lattakoo, I found the Bechuana chief, Mahuni, the only one of those chiefs Mosalikatsi had not subdued, trembling for his existence; and he had then nothing to save him but the respect Mosalikatsi entertained for the name of Waterboer. Since then Mahuni and his tribe have removed from Lattakoo, and the Zoolahs are now neighbours to the Griquas. During my visit to Mahuni, and the neighbourhood in which he lived, I made myself acquainted as much as possible with the character and power of Mosalikatsi, and making allowances for the exaggeration inspired by the terror of his name, I feel at this moment convinced that the colony has much to dread from that chief and his people, should we, by an act of indiscretion, lose the advantage we may derive from continuing to cherish and support the Griquas. On my return from my journey of 1832, I considered it my duty to lay this subject before Sir Lowry Cole. After giving him some account of the manners and customs, and resources, and warlike habits of the chief and his people, I expressed it as my firm conviction, a conviction that has been strengthened by all that I have heard of them since then, that should the Griquas by any means be lost to the colony, Mosalikatsi would place himself on the banks of the Orange River. The colony would be no longer worth the defending, were Mosalikatsi in the situation of Waterboer, and in possession of his country. As the frontier is now situated, were he to enter the colony with his hostile bands, who, trusting to the spear, despise fire-arms, all the colonists north of Graaff Reinet and Beaufort would fall before his men like sheep under the knife of the butcher. This was my impression in 1832, and that impression has been deepened by the events that have occurred during the late war, and the influence which these events have had upon the minds of Mosalikatsi and the other chiefs on the northern frontier. We talk like children when we talk of the impression made upon the Caffre and Zoolah tribes by the massacre of the Ficani, when we destroyed them for another tribe by mistake, and the pleasure with which the Amapondas and others in that direction beheld the fall of Hintza. Hintza was pleased when he got rid of his formidable neighbours, the Ficani; and the Amponda chiefs might be pleased to see Hintza humbled; but however the chiefs beyond Hintza's country might conceal their sentiments while a British army was on their borders, they could not view our proceedings but with terror and dismay, and the men that could trust to professions of friendship made by such people, under such circumstances, are the last that should be trusted to secure the peace and safety of the colony. The elements of power and destruction are, at this moment, widely scattered over the whole of the country between the Orange River and Delgoa Bay, and no more is necessary but to continue and put them in motion, to blot out the name of the Cape of Good Hope from the list of British colonies. One individual is wanting only to wield those elements, and should we continue the iniquitous course we have hitherto pursued, who can say how soon an offended God may raise

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raise him up, as he did Cyrus, to be the minister of retributive justice; and to give him a commission to execute that, will repay to us in full measure all the injuries we have inflicted, the robberies we have committed, and the blood we have shed. An intelligent individual, and one who has travelled over that country lately, remarked to me just before I left the Cape: We have nothing to dread from the Caffres, compared to what we have to apprehend from the state of the northern frontier. There are numerous families of boors who have taken up their domicile in that country; they have among them at least 3,000 stand of arms; they have abundance of powder and lead, and we have no means of preventing them from getting as much as they wish for; those that have guns are, with very few exceptions, in possession of horses, and if the colonial government is foolish enough, at this moment, to lose the affections of the Griquas, and by that means to disperse them among that people, woe be to the colony! The importance of this colony, as the basis of operations that are destined to effect much good or much evil to a large portion of the human race, becomes every day more distinct. When I take a review of the numerous and rapidly improving tribes of the interior, it appears to me clear that we are to be the instruments of subduing them to Christ, or they are to be the instruments of Divine vengeance upon us for our neglect of so plain and obvious a duty. India does not require more ability or a more simple form of government. The mischiefs consequent upon a failure will be less striking to the public eye than the ruin of India would be; but the ruin would be more complete and less remediable, as far as we and some hundreds of tribes of men are concerned, than would occur even by the ruin of India. An able governor of the Cape might, in 12 years, influence the continent of Africa as far as the tropic; influence it for good, make every tribe to know its limits, to be content with its own, to respect its neighbours, and to drink with eagerness from the fountains of our religion, civil policy and science. The missionaries have already done enough to prove that all this is not only possible, but easy; much easier for a wise man to accomplish than it is for a fool to render the whole of this part of the continent not only more barbarous than it is at present, but hostile to us, and ever ready to combine for our destruction, and the destruction for a time of their own chances of civilization. What a responsibility then rests upon the British Government, even in the management of this apparently insignificant colony, and how anxious and persevering ought the friends of religion and humanity to be, in saving us from the perils that threaten us.

5328. Is there anything which you wish to add to the statement you have read?—I will beg leave to lay before the Committee a few observations which I have written in defence of the chief Macomo.

[*The same was delivered in and read as follows:*]

1. The Caffres and Tambookies were independent of the colonial government, and we had no right to interfere in their quarrels.

2. Could we have established such a right, the impolicy of exercising it is obvious enough, as it would keep the colony constantly involved in all the petty quarrels taking place among the tribes beyond our frontiers.

3. The defence of our conduct, on the ground that Chilala was our ally, is untenable, as Bowana, whom Chilala had robbed, was also our ally at the same time; and if it was our duty to protect one ally against another, we should have punished Chilala for his attack upon Bowana, and that would have prevented the necessity of Macomo's interference.

4. The favourable character given of Chilala by the accusers of Macomo is not supported by facts. The testimony given in this instance is invalidated by many respectable individuals who were well acquainted with his conduct and character, and by the fact that, shortly after this affair, he laid wait for Bowana, met him in a sequestered place looking after his cattle, and murdered him in cold blood.

5. Had the colonial government been sincere in the reasons assigned for the punishment inflicted on Macomo, it might have been expected that it would have inquired into the conduct of Chilala, and have punished him for his treacherous and cruel murder of Bowana; but no inquiry was instituted, and no notice taken of the affair.

6. It has been alleged, as an aggravation of the offence of Macomo, that in his pursuit of Chilala's people he drove them into the colony. This part of the statement is incorrect; they fled into the neutral territory; and if there were any boors there to be annoyed by their flight, they had no right to be there, as it had been declared by the heads of the colonial government, who alleged that Gaika consented to the neutrality of the territory, and to the individual to whom it was afterwards said to have been ceded, that it should never be given to the boors, and that they never should be suffered to inhabit it.

7. Macomo had been entrusted by the colonial government to punish Caffres who might steal from the colony. To punish Chilala for the thefts committed by his people on the colony

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colony was partly his object on this expedition; and if he erred in judgment in the measure of the punishment he inflicted, there was no proportion between the offence and the punishment.

8. Macomo had actually agreed to comply with the orders of the colonial government to restore the cattle taken from Chilala. His own share, 380 head, he had actually sent to Fort Beaufort; and he was in the act of collecting the remainder from among the cattle of his people, when he was attacked and driven from his country. The first communication made to Macomo on this subject was a demand that he should restore the cattle, accompanied with a threat of expulsion, in case of his not complying with the demand in question; but the manner in which the execution of the threat immediately followed upon the demand, forces upon the mind the conviction that his expulsion was determined upon before that demand was made. On an impartial review of all the circumstances, it appears to me to be impossible to put any other construction on this affair. Had the colonial government intended to preserve appearances in this transaction, the parties should have been confronted, and the matter should have been carefully investigated; but Macomo could not get a hearing; no opportunity was afforded him to confute the statements of Chilala; and the days at first professed to be given him to collect the cattle demanded from him were reduced to hours; and when he was presuming upon reasonable time being given him to collect a much greater number of cattle demanded of him than he had taken from Chilala, which increased the difficulty, he saw his villages burning and his people flying before our troops.

9. Considering the manner in which we were in the habit of treating the Caffres, entering their country, and precipitating tribe upon tribe by our commandoes and patrols, under the pretext of searching for stolen cattle, the stress laid upon the charge brought against him, that he drove the Tambookies into the colony, sounds very oddly, and shows how far we were, in our dealings with the Caffres, from acting upon the principle of doing as we would be done by.

10. In vindication of our conduct towards Macomo in this case, it has been alleged that the punishment in this case was deserved and necessary, because, by depriving Chilala of cattle, he might be reduced to the necessity of stealing cattle from the colony. It is curious enough that this consideration should never have operated as a check upon our own conduct towards the Caffres; that it should not have occurred to us, that the reasons that we had in this instance assigned for attacking Macomo were precisely of the same nature with those on which Macomo had a right to rest his defence, and which were actually urged by him in his defence, and that the justice and policy of our own attack upon him might be condemned on the very same principle which was assigned by us to justify that attack. In seizing the cattle and country of Macomo, were we not doing, on a larger scale, that for which we blamed Macomo? and had we not reason to fear a re-action of the same nature, and to a much greater extent than we had reason to fear from the punishment of Chilala? Or did we suppose that Bowana and his people, or Macomo and his people, were made of more honest stuff than Chilala and his people, and that they would rather perish of hunger than make reprisals upon the colony to recover any portion of what had been wrested from them?

11. The question whether the Kat River was or was not a part of the territory declared to be neutral ground has always appeared to me a useless discussion. If it was an act of injustice, which must now be admitted, to take the territory called the neutral territory from Gaika in 1819, the expulsion of Macomo must come under the same denomination, and for this plain reason it is obvious that we had no right to tell him, or to publish to the world, that he held that country on his good behaviour, nor to expel him on the grounds which have been alleged for his expulsion. What would be thought of a prince who would cancel the right of a nobleman to his estate without a reason for such conduct, and to tell him that in future he was to hold his title to his estate during pleasure only?

12. Gaika always denied that he had ever ceded any part of the neutral territory; but whatever may be said on this subject, no one will affirm that he ever understood that the Kat River, which was then inhabited by his people, to have been ceded by him, and till the expulsion of Macomo the Caffres never understood that it formed a part of that territory. In 1819, we might determine that it should be included within the colony, like the Dutch governor who, in 1800, declared the Fish River to be the boundary of the colony; but the Caffres did not in the one case more than in the other understand this to be the fact, till they saw the troops come against them which were to drive them out of their country. The Caffres knew that orders had been issued at different times to shoot any Caffre found in the neutral or ceded territory, who had not in his possession a pass from Gaika; and for that reason the Caffres who then inhabited the Kat River territory could not possibly suppose that it was considered by the government as included in what was denominated the ceded territory.

13. It appears to have been the favourite policy of Lord Charles Somerset to place one sovereign over the whole of the Caffre chiefs between the Fish River and the Kye, and this appears to have been the principal thing he had in view when he met Gaika at the missionary station of Mr. Williams on the Kat River. When his lordship's plan was proposed to Gaika, the chief thanked his lordship for the honour he proposed conferring upon him, but at the same time respectfully declined it, alleging as his reason for so doing that the chiefs around him were as independent as he himself was, and he referred his lordship to them to treat with them separately. His lordship, however, was not to be disappointed in his object; he still continued to insist that Gaika was the legitimate sovereign of that part of Caffreland which has been mentioned as included between the Fish River and the Kye, and declared to Gaika, before all the chiefs present, his own staff and the missionaries, that he would hold him responsible

responsible for the conduct of all the chiefs whom he had placed in a state of subordination to him, and he kept his word. The war in which Gaika was involved with T'Slambie was occasioned, as has been shown in my memorial to the governor, 13th March 1834, by Gaika exercising this authority in the case of his uncle, T'Slambie, and the commando of Colonel Brereton in 1818 was to resent this insult and to punish the confederate chiefs, with T'Slambie at their head, for having resisted the supreme authority of Gaika. The event which followed, and the depriving of Gaika of so large a portion of his territory, made no alterations in his political relations to the colony, and to the day of Gaika's death the arrangement made by Lord Charles Somerset in this instance was never cancelled, and Gaika was recognized by the colonial authorities as the head of the Caffre nation, occupying the lands between the Keiskamma and the Kye, and as responsible for the conduct of his chiefs and their people. The question that now forces itself upon us, and it necessarily arises out of the premises we have laid down, is this, Why did the colonial government, in the instance of Macomo, depart from the policy which it had established with Gaika, and why did it not make Gaika responsible for the conduct of Macomo in the affair of Chilala? We had forced Gaika, against his own consent and remonstrances, into this situation in 1819. We had taken up arms for the professed object of supporting him in the authority with which we had invested him. We had appealed to him on innumerable occasions for redress when cattle were said to have been stolen from the colony by his chiefs or their people, and why pass him by in this instance and deal with Macomo as if he had been an independent chief and without any reference to his superior?

Macomo was the son of Gaika; the Kat River was the territory of Gaika. Macomo was selected for that very place, because his father and sovereign could depend upon him as the most efficient person he could select to prevent cattle being stolen from the colony, and the consequences which Gaika felt would arise to himself and his nation from the increase of that evil. Many of the people immediately under Gaika were, at the time the expulsion took place, occupying the most beautiful parts of the Kat River, and in addition to the foregoing circumstances, we have to add, that the attack of Macomo on Chilala was under taken at the recommendation of Gaika, and to support his own father-in-law Bowana against Chilala, who had unjustly attacked him, and robbed him of his cattle, and who shortly afterwards justified all that had been said and done against him by Macomo, by the perfidious murder of Bowana.

Enough has been said on this subject, and some may suppose that more has been said than was necessary. Macomo has been unjustly and cruelly persecuted, and something is due to his character; but the vindication of Macomo is a trifle compared to the importance of the principle which this question involves. To say nothing of the principles of justice, the principle of our treaty with Gaika was, in this instance, wantonly violated by the colonial government; and if the great principles of international law are to be violated in this manner in our future intercourse with the tribes beyond the frontiers of our colonies, all hope of peaceable relations between our colonial governments and our uncivilized and weak neighbours must give place to interminable wars. If the affair of Macomo called for our interference, it was with Gaika, and not with Macomo, we had to do in the first instance; and the manner in which we passed by Gaika in this case, was an offence against justice, truth and sound policy, for which no apology can be offered, and which stamps the whole transaction with a character, the merits of which the Caffres are as capable of appreciating as we are.

14. Chilala never held the rank of a chief among the Tambookies. He was a heemraad, or councillor, of Bowana's, and consequently a subject of that chief, and it was to support his authority that Bowana called on Macomo to assist him against a subject who had cast off his authority, and who had placed himself at the head of a band of plunderers, which it was the duty of the colonial government to have assisted in suppressing.

From the above premises it follows, that Macomo was in reality punished, not for attacking our allies the Tambookies, but for supporting their rightful authority against a usurper and a rebel.

5329. Have you anything else to offer to the Committee?—Here is a paper to which I have referred with respect to the conduct of the boors:

[*The same was read, as follows:*]

**Notes on the Migration of the Boors beyond the Limits of the Colony.**

The migration of the boors into the country of the Bushmen and other tribes is not less unjustifiable than the alleged inroads and robberies laid to the charge of the Caffres by the colonists. So long as the facts could be questioned, the reports on the subject were treated as gross calumnies. This being no longer possible, the conduct of those boors is defended on the plea of necessity. The country inhabited by the boors, it is said, cannot support their cattle. This may be a reason for leaving it, but none for seizing a country to which they can show no title. The natives have just as much justice on their side, when they seize the cattle of the boors, as the boors have in seizing their country. It is said they only

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take possession of those tracts of country at certain seasons, and afterwards return to their farms within the colony; but those seasons are seasons of scarcity to the natives as well as to the farmers, and this makes their conduct doubly oppressive. Their flocks and herds consume the whole pasturage of the countries they thus invade, and the natives are left in a state of utter destitution. It is understood that a great many families crossed the boundary towards the Kye in 1834. It is important to know the number of sheep, goats and horses they carried with them. Could we ascertain this, we would then be enabled to form an idea of the misery they must have inflicted on the natives who live entirely by pasturage or game. The number of animals of all kinds would probably be estimated low at 2,000 for each; but if we allow 1,500 boors, and 1,000 only to each, the effects of such an immigration must be ruinous to the natives. It is a cruel robbery, followed by starvation and death in its most appalling shapes; yet these men complain that cattle are occasionally stolen from them by the natives from beyond the boundary. When the farmers received their grants from government, they knew the nature of the soil and climate, that they would support only a certain number of sheep and cattle, and that droughts often occurred. If they chose to collect a greater number of live stock than the lands could support at all seasons, they should have provided places of retreat behind them; but for this they must have paid; and this is the sole reason of the unjust proceedings of these men. Avarice is the motive, and its fruits are systematic robbery and murder. In April 13th, 1829, a letter was written by the secretary to government, which states that these farmers expatriated themselves without the permission of the government, and in defiance of the law. This fact illustrates what all writers on the Cape have lamented, namely, the weakness of the government; government gave way to the avaricious boors. It has also been stated, that did the farmers not graze their cattle beyond the line of boundary, the districts would be abandoned. There is in the colony, we hesitate not to say, room for ten times the number of its present population; and portions of these districts have been but recently taken from their original possessors, to make room for those who now occupy them, and who are yet allowed to plead the barrenness of the soil as an apology for farther encroachments. Another plea is, that the evil cannot be remedied; that is, that the state of the country is such, that the boors cannot be stopped from passing the boundary. If it is so, means must be employed till the evil is stopped; for robbery and murder and the invasion of peaceable countries, and the extermination of whole tribes of mankind, must not be connived at, much less be winked at by the British Government. It is astonishing the indifference with which the local authorities have viewed the proceedings of these wandering boors, and the slackness with which they have enforced the orders of government. In 1834 an official gentleman came to the Kat River settlement, where he was told that the boors were daily passing the boundary, to intrude themselves on the country of the natives beyond them. "I know that," said he, "but I cannot stop them; and besides, if they were to stop on their places, their cattle and all would perish for want of grass." What if Macomo were to make use of the same argument, and allowed his people, when there was as little grass in his country as there is on the floor of the Committee-room, to graze their cattle on the colonial lands? It is a well-known fact, that the farmers in the district of Tarka have been quite a nuisance to the Tambookie chiefs, Mapassa and others, by allowing their cattle to graze on their lands in times of scarcity. None but those who have studied human nature, and are intimately acquainted with the workings of the system, can conceive of the enormities that must necessarily result from such a state of things. That the boors have carried their slaves with them out of the colony is now beyond doubt. In 1834 an officer was sent to the Kye, to bring back some slaves who were reported to have been taken by their masters beyond the boundary. The officer succeeded in bringing back some of the slaves; but the impudence and audacity of these men was beyond anything, and instead of being made an example of, they were allowed to remain beyond the line, much to the annoyance of the poor natives. To punish such men would fall within the power of the government, and one example would have deterred others from repeating such conduct. It is plain that the laws are not had recourse to or enforced in such cases. No wonder then at the contempt into which the British Government has fallen among the boors. Much has been said of the depredations committed by the Caffres on the colonists, but then the colonists, by pursuing such a line of conduct as we have just spoken of, make themselves guilty of the same acts which they condemn in the Caffres. If it be true that they cannot live on the frontier, and I doubt whether it be true, they must retreat. Another solitude by encroachment cannot now be made for their convenience. We are quite convinced that friendly relations with the tribes, and proper agents to prevent intruders from entering their country without permission, will in a very short time overcome every difficulty, and remove every danger. The boors, like all ignorant people, take just as much as is given them; they acknowledge no limit. When government assumes a commanding attitude, no people on earth are more submissive; and it is lamentable to observe how for so many years their ruinous encroachments have been winked at by the local authorities. We have now spoken of the boors when they invade the country of the natives merely to rob them of the means of subsistence, and leave them to perish of hunger, and betake themselves to robbery and plunder, but the blood of thousands of natives, shed on their own soil, is on the hands of these men. When I first heard of the number of boors that had passed into the Griqua country, it seemed to me so incredible, that I requested Mr. Kolbe, the missionary at Philippolis, to point out to me on a map the places said to be occupied by the boors, and the fountains by which they have set themselves down. The boors Skalkwyk and Baatneus have forcibly taken possession of the fountains and built domiciles on the land of the Griquas.

Griquas. These men, so soon as they pass the limits, become the lords of the soil, living under no kind of restriction whatever, and not submitting to be governed by those in whose country they have taken up their abode. Is it not easy to perceive that such a system must lead to a state of things injurious to the peace and prosperity of the natives? Such a system must necessarily be attended with the worst consequences; it must retard the spread of religion and civilization among the natives, and lay obstacles in the way for the establishment of peaceable relationship with the border tribes. There must be a change in our colonial policy. In vain do we look for peace if we still persevere in the old system of making encroachments on the territories of the natives, and if we do not restrict our farmers within our own limits.

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*Lunæ, 11° die Julii*, 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Sir Rufane Donkin. |
| Mr. Hindley. | Mr. Charles Lushington. |
| Mr. Wilson. | Mr. Baines. |

MR. FOWELL BUXTON, IN THE CHAIR.

*Thomas Hodgkin*, M.D., called in; and further Examined.

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5330. HAVE you given your attention much to the subject of the treatment of the aborigines?—I have paid attention to that subject.

5331. Have you any facts to state, in addition to those which are already stated to the Committee, relative to the aggressions made by Europeans upon the natives, and the consequences of those aggressions?—I believe I stated in my former examination that a large portion of the evidence which I had collected related to the aborigines generally, and not to those especially which exist in our colonies; and as that evidence was such as could hardly be received here, I doubt whether I need trouble the Committee any further, more especially as I beg leave to recommend the hearing of the evidence of a gentleman (Mr. Richard King) who has been personally amongst some of the aborigines residing within the influence of our North American colonies.

5332. Has your attention been turned at all to the question whether, in order to introduce civilization and Christianity amongst the natives, it is desirable to begin with civilization, in order to lead to Christianity, or to begin with Christianity as the readiest mode of conducting to civilization?—I have endeavoured to attend to that subject, and I believe they cannot properly be separated.

5333. Do you think that civilization and Christianity should go hand in hand?—Certainly.

5334. But do you think that a system would be successful in which civilization alone were attended to in the first instance, without reference to Christianity?—I believe it would be very defective; but that still much might be done by those who may not consider themselves qualified to be teachers of Christianity, provided they should prepare the way for those who really are such; and I would add, that those ought not to be regarded as irreligious and anti-Christian teachers, who professing Christianity, and in their practice exhibiting the influence of its precepts, should seek to enlighten, and protect and ameliorate the uncivilized victims of the system adopted by nominal Christians, even although they might not think it expedient to commence by the inculcation of dogmas and points of faith liable to misapprehension.

5335. Do you think it is possible to instruct the natives in the truths of Christianity without immediately and necessarily promoting civilization amongst them?—I believe that all attempts to christianize the uncivilized which should not be in some way or other conjoined in attempts to civilize, would fail in both; not of course from any deficiency in Christianity, but from the mistaken course of its advocates.

5336. Have you turned your attention to the system of policy which ought to be adopted with regard to the natives, so as to secure to them, to the greatest possible extent, the blessings which we can impart, and to protect them, to the greatest possible extent, against the evils which Europeans are likely to inflict upon them?—I think

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—I think that is possible; and I have turned my attention to the means which I conceive might conduce to that end.

5337. Will you be kind enough to state them?—I conceive that, in the first place, it is essential as far as possible to cut off those influences which operate unfavourably upon them, and which threaten, if not stopped, at no very distant period completely to exterminate them; and for that purpose I believe that where they live within our frontiers they should have their rights as citizens secured to them, and be taught to appreciate those rights, so as to be able to derive advantage from them.

5338. Will you state in detail the measures which, in your apprehension, would be most calculated to benefit the natives, and to protect them to the greatest possible extent?—By establishing schools amongst them; by encouraging those efforts which have been already made by missionaries, and which the evidence shows have been very successful; and by, as far as possible, bringing forward those of the aborigines who possess talent, and who are susceptible of more cultivation than the rest, and employing them in such posts as they are qualified for, in the administration of law amongst themselves. I conceive that it would be extremely important that we should as far as possible encourage those missionaries who have schools already, and induce them to set up a species of competition amongst their scholars, by which we might find out the best of those scholars, and bring them from time to time to our colonial schools, and have a further competition amongst them, so as to draft the best of those to this country, which I believe might be done at no very great expense. I believe also, that it is important that when Government has granted sums for the advantage, or for the repayment of aborigines, that a due application of those funds should be secured. At present, I have been informed by some witnesses, that the system of giving presents is a system by which many unprincipled whites become possessed of property designed for the natives, whilst a very small portion finds its way into the hands of the natives, and is by them received in forms not likely to be beneficial to them. Could those sums be properly applied, they would probably be found nearly, if not quite, adequate to effect the preservation and amelioration of the people.

5339. In speaking of the presents, you refer to the presents made to the North American Indians?—Yes; to the presents and payments of annuities for land. Land has been sold by the Indians upon a principle something like a tontine: a sum is divided among the existing chiefs for a certain number of years, and then the sum is reduced in various proportions for a certain number of years again, and still further reduced after the lapse of a further period, till finally there will be no further expense to this country, and the natives will cease to receive anything.

5340. Mr. *Lushington.*] What would be your object in drafting the scholars alluded to in your former answer to this country?—I conceive there will be a twofold advantage; a great advantage to the individuals themselves, who would then have their views extended and their minds cultivated, somewhat in the same way that those Arabs who come to this country to introduce civilization into Egypt are prepared. Similar individuals are also sent to Paris, and I believe many have gone to Italy, with a view to carry back civilization to their own country. The Pasha of Egypt seems sufficiently enlightened to see this for himself; the aborigines of whom I am speaking do not see it, but that is no reason why we should not adopt the same good example for them.

5341. Then your object in bringing those persons to England is not that they may impart information to England, but that having collected information and intelligence in England, they should return to the colony and impart the result to their countrymen?—Certainly; that they should return with expanded views and sentiments of attachment to this country, and be made more competent to become starting-points of civilization to their own people.

5342. Ordinarily speaking, you can scarcely expect that the most distinguished colonial scholars, under those circumstances, would be able to communicate much general knowledge to the mother country?—Probably not; yet they would be able to impart some important information. The second advantage would be, that this plan would secure in the persons of such individuals coming to this country and forming acquaintance and friends in it, a most important means of communication with this country on their return to their native country. They would also be able to furnish information respecting proceedings taking place in the territory in which the aborigines dwell. I might adduce as an example of this

this kind, the very fact that we now have Southern Africans in this country from whom I apprehend very important information may be derived. If those individuals, whom we can hardly suppose to be advanced so far as the educated individuals I speak of, can bring to this country important information relative to their own country, *à fortiori* those would do so who should be prepared in the way to which I am looking forward. There are also other means; I think there is a New England Company, which has existed for many years; so long, in fact, that it has been obliged in some degree to modify its operations. The funds of that institution might probably be turned to some more useful purpose than they are at present, with respect to the civilization of the North American Indians.

5343. When you speak of the New England Company, do you allude to that society which first originated missions?—I am sorry to say that I am not sufficiently acquainted with the history of that society; but there is a society which has its domicile in Great St. Helen's, at the disposal of which there is a considerable endowment, which is from time to time applied to the benefit of some North American Indian tribes. I conceive that the funds of that society, and of other societies, if there was a general plan formed, might be brought to co-operate for the obtaining of the end in view.

5344. Mr. *Baines.*] Under what circumstances was the society originated?—It was formed before the separation of the United States from this country, for the express purpose of benefiting the Mohawks and some other tribes.

5345. Mr. *Wilson.*] That is a chartered society, is it not?—Probably it is; I am not a member of it.

5346. *Chairman.*] Will you proceed to detail the measures which you think advisable to be adopted?—There is another point which I believe has frequently engaged attention; viz., the appointment in the different colonies of an individual or individuals to act as official patrons of the natives, forasmuch as those people, from their ignorance, are unable to maintain their rights and take advantage of laws which exist in their favour. I understand that this deficiency is very much felt. It was only this morning that I understood from one of the letters from my friend Mr. James Backhouse, that although the law was such as to punish aggressions on the persons of the natives in Australia, not a single instance had taken place in which such redress had been afforded, clearly proving that in the present state of the natives, they are unable to take advantage of the boon afforded to them. This difficulty has been proposed to be met by Dr. Lang and some others, by the nomination of an official patron. This has certain advantages, but I conceive that it has also some disadvantages, if it be regarded as anything more than a preliminary measure. If it were looked to as a permanent measure, it would tend to keep the aborigines in an infantine state, in which we cannot expect them to rise. If it be looked at as a provisional measure, I conceive that it is of the utmost importance; and if such individuals could be properly selected, perhaps it would be the first step that should be taken to secure them.

5347. You have mentioned Mr. James Backhouse; is he a gentleman who has gone over to Australia, one of the purposes of his journey being to investigate the state of the aborigines?—He is.

5348. Have you received many communications from him?—Yes; I have heard from him and seen many of his letters; they are very voluminous, so that I have not been able at present to make selections which bear upon the subject. There is another measure which has been contemplated by some persons, who have considered the fate of the aborigines, but it is rather more American than British, that is, removing the natives from spots where they may be supposed to be suffering, to other spots. That plan has been adopted in Australia with respect to those in Van Diemen's Land, and I believe in that instance the result has not been favourable; but with respect to the removal of the American tribes by the United States, I have positive facts in proof of its being injurious; therefore I should be disposed to deprecate any such measure with respect to our own aborigines. We should ameliorate them in the situations in which they have already fixed themselves, and render them auxiliary to the improvement of others more remotely situated.

5349. Mr. *Lushington.*] Have you any information relative to the present condition of the natives who were removed from Van Diemen's Land to Flinder's Island?—I have not at present.

5350. *Chairman.*] Will you state any other measures which you would think it desirable to adopt?—Another method, which I believe would be of practical use, was suggested to me by a gentleman who had been a considerable time amongst

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the Cree Indians. He says there are a number of individuals of a mixed race, who often become a very troublesome class of persons, but who possess fine intellects, capable of being rendered very useful; and he believes that if proper care were taken of such individuals, they would be of the most important use in introducing civilization among the uncivilized with whom they are connected. They seem, moreover, to have a somewhat stronger claim upon this country's care than those who are in no way related to ourselves. Next to the education of the mixed population, I conceive that great advantage would be derived from carefully superintending the instruction of the sons of chiefs and other influential persons, and I am the more disposed to press this from having been informed by the late Edward Bowdich that the Portuguese were able to extend their influence some hundreds of miles into the interior of Africa from the west, almost solely by adopting this course; and the conversations I have had with our own officers who have been upon that coast, would show that something of the same kind has been voluntarily undertaken by the natives, though this country has not taken it up as a system. I have been informed that in the worst parts of the coast of Africa, as respects the encouragement of the slave trade, there are many sons of chiefs who have only picked up their education in slave vessels, who, notwithstanding, read and write English. They even write it remarkably well. If they can be instructed so as to render them able slave dealers, they might, I conceive, be rendered equally able promoters of civilization, if they were properly influenced by the same method.

5351. Mr. *Baines.*] Would there not be another advantage in employing the mixed race in that way, as they would be likely to sympathize in the feelings of both the one and the other, being of a mixed race?—I most fully agree with that, and in support of it I might mention an Indian chief of the name of John Norton, who being of a mixed race, found greater facilities than most others when in this country, and undoubtedly he did so on his return, from being able to correspond with those to whom he was related on his father's side.

5352. *Chairman.*] Have you anything further to suggest?—Another point which I would venture to suggest would be, that a separate department of the Colonial-office might be devoted to this subject. Amongst the great variety of concerns coming before those who are engaged in that department, which more particularly bear upon our own commerce, or upon our own government, there seems to be scarcely an opportunity of taking up this subject as a whole; but I would venture to suggest that the Colonial-office might have appended to it an individual who might be intermediary between it and all those who might be interested in the fate of the aborigines,—the missionary societies, and all individuals visiting the aborigines and feeling an interest in them, and all complaining natives, for there would be a class of natives brought forward who might have remonstrances to make. Such individuals might have a special agent, who could not be in any better way connected with the colony, than through the Colonial-office. The agent should be the receiver on the one hand of all complaints and remonstrances, and on the other hand communicate with our Government; and with its sanction, and through the Colonial-office, with the colonial authorities. I think, from the want of some such means of communication between the aborigines and all their friends on the one hand, and the Government on the other, great difficulties arise, which will be increasingly great, if any general measure of relief is to be undertaken.

5353. Do you believe that it is essential to take care that in any schemes for emigration from this country we do not interfere with the rights, and do not take possession of the land of the natives?—Most certainly.

5354. Is it your opinion, from all the information you have collected upon the subject, that Europeans coming into contact with native inhabitants of our settlements, tends to deteriorate, in many instances where missionary societies are not established, the morals of the natives?—I believe that, with the exception of those cases in which Europeans have come in contact with civilized natives, for the purpose of improving them, they have invariably deteriorated and destroyed them.

5355. Is it your opinion that the system which has hitherto been pursued, has a tendency to introduce European vices?—Very decidedly so; and diseases.

5356. And the use of ardent spirits?—Yes.

5357. And the use of European arms and instruments of destruction?—Yes.

5358. Do you think that the system hitherto pursued has had a tendency to prevent the spread of civilization, commerce and Christianity, which under a better system might have been extended to those natives?—Certainly.

5359. Looking at it as a whole; looking at the natives as they were before

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before they were visited by Europeans, and the state and conditions of the natives as they are at this moment, do you believe that the visitation of civilized Christians to the heathen and savage countries has as yet proved a blessing or a calamity?—Quite a calamity.

5360. You mean to go so far as to say that, upon the whole, what we have done towards those who have stood so much in need of our assistance, has proved injurious and not beneficial?—Quite so.

5361. Do you believe that by a more just and humane system, under a system which would guarantee and protect their rights, secure to them their lands and their hunting-grounds, extend education and the truths of Christianity amongst them, that a wiser and better, and at the same time a more profitable and politic course might be adopted?—I do.

5362. Do you believe that the system which William Penn adopted when he went to Pennsylvania, with any modification, according to circumstances, would be a system which would be likely to promote those beneficial objects to which you have alluded?—I am inclined to believe that the great beauty of William Penn's system was rather negative than positive; he abstained from the crime of taking the land from the natives, but I believe that his various occupations with his own colony prevented his doing anything very considerable for the advancement of the natives, though it is very evident that he had their interest at his heart. We must rather look at his example as an absence from an injurious and unjust course, than as a striking proof of what might be done for their positive amelioration. He strongly recommended them to his followers and to the colonists, some of whom have followed his injunction; but there is nothing very promising resulting from their efforts.

5363. You think, then, that we ought to pursue William Penn's system so far as to abstain from aggression, but we ought to superadd to that some effort for their improvement?—Yes; and perhaps I ought to modify what I have said. It is very certain the members of our society have taken up individual tribes of Indians, but there has been too much want of an uniform and persevering system to effect the desired object.

5364. You have spoken of the system which has been hitherto pursued; do you mean by that, that Europeans have taken upon themselves the license of going amongst savage nations and taking possession of their land without much restraint from the hand of European authority?—I believe so; the evils have been very various. Where there has been a commerce, it has been always to the disadvantage of the weaker party; and they have been engaged in practices which have been unfavourable to their advancement, and they have lost the little degree of civilization which they once possessed.

5365. Are you aware whether the population of Van Diemen's Land has been nearly exterminated or removed?—Very nearly.

5366. Have you any documents to show what the population was at any preceding time?—No, I have not.

5367. Mr. *Baines*.] Do you think if the plans that you have suggested were pursued, there would be a very improved system introduced amongst the aborigines, affecting beneficially the interests both of the colonists and of the native inhabitants?—Most certainly; the productions of the country would be rendered immeasurably more advantageous to themselves and to those who would trade with them.

5368. Then there seems to be every motive that can influence the two parties, the persons going amongst the aborigines and the aborigines themselves, to induce an altered and an improved system?—I think so.

Mr. *Richard King*, called in; and Examined.

*Mr. Richard King.*

5369. *Chairman*.] HAVE you had any opportunity of observing the communication between Europeans and the Red people of North America?—I have.

5370. Will you state to the Committee any facts that have come to your knowledge with regard to the treatment of those natives, with regard to the diminution or increase of their population, with regard to the spread of civilization and Christianity among them, and with regard to the protection of their rights?—I think it is evident that on proceeding from the south to the north of North America the Indian tribes have been decreasing very much within the last few years. The Cree Indians, at the time of Sir Alexander M'Kenzie, as lately as the

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the year 1801, were very numerous. They carried their war excursions as far as the coast of the Polar Sea, by the great Slave Lake, and westward as far as the North Pacific Ocean, and even eastward as far as Hudson's Bay. They have now degenerated to a few families congregated about the European establishments, while some few still retain their ancient rights, and have become partly allies of a tribe of Indians that were once their slaves.

5371. Upon a rough estimate of what their population might have been formerly and what it is now, what is the comparison?—The comparison is so great that I am perhaps hardly able to state it. At the time of Sir Alexander M'Kenzie they were so numerous that he could give no estimate; but they might amount to several thousands, and now but a few hundreds.

5372. Do you contemplate that their number was at that time 50,000 or 60,000?—No; I should say 8,000 or 10,000, and now perhaps 200 or 300 at most.

5373. What is the distance of time?—From 30 to 40 years.

5374. Do you ascribe their diminution to contact with Europeans?—Decidedly.

5375. Did you accompany Captain Back in his excursion?—I did.

5376. At what time did you leave that country?—I left the Hudson's Bay territory as lately as September last.

5377. Had you an opportunity then of ascertaining that the tribes had decreased, and that that decrease had originated in European diseases, which they had contracted?—I had that opportunity; I was then amongst the Cree Indians, who are termed "Swampy Crees," from their inhabiting that part of the country.

5378. Have they contracted the habit of using ardent spirits?—I witnessed them for three or four days in a state of inebriety. About 30 or 40 Cree Indians, who had been engaged in the service of the Hudson's Bay Company, having returned from executing their commission, were allowed a certain quantity of Demerara rum, with which they became intoxicated for several days.

5379. Is it your opinion then, that if no measures are taken to improve their morals and cultivate habits of civilization, the whole body of those individuals will in a short time be extirpated?—I have no doubt of it.

5380. What do you consider to be the effect of our trading system upon the natives?—I think it is the means of degenerating them in more ways than one. The introduction of spirits might be ascribed as one cause, and trading or bartering of vast quantities of provisions might be considered another cause, and also the introduction of a contagious disease, which has, perhaps, done more injury, next to the use of ardent spirits, than anything else; I mean that of the venereal disease.

5381. Have you reason to believe that their means of subsistence have been diminished in consequence of their contact with Europeans?—Decidedly.

5382. In what way?—By the trade requiring a vast quantity of provision, for the purpose of communicating between the extreme points of the trade and the depôts. That provision is bartered from the Indians, who can ill spare it; they used to lay up a great quantity of provisions as a winter store, but now they are no longer able to do so, for the quantity required for the trade is so large that they can barely supply it.

5383. Would not the fact of so great a demand, and the reward of its production, operate as a stimulant to a greater production?—Not with respect to provision.

5384. Mr. *Baines.*] What kind of provision do you allude to?—Generally the dried meat of the rein-deer, buffalo or musk oxen.

5385. A kind of provision over the production of which they have no control?—Undoubtedly. I think it would be very easy for the traders to establish farms in the neighbourhood of their fur posts, which would be the means of supplying them with a sufficient quantity of provisions for both summer and winter.

5386. And therefore if their pursuits were made agricultural, instead of depending upon hunting, they would be able to subsist themselves; whereas now, as they depend principally upon hunting, and the game have been so much destroyed, they have no means of renewing them?—That would relate not only to the traders, but to the Indians generally.

5387. It would relate to the persons who are deprived of their means of subsistence through the causes you speak of?—Precisely.

5388. *Chairman.*] Have any instances of death from starvation, or emaciation through starvation, come before you?—Very many.

5389. Will you state any facts that have come to your knowledge, of that description?—In our own case, the appearance of an establishment far to the north,

was an inducement to the Indians to part with a quantity of their provisions, depending for a renewed supply upon the movements of the rein-deer, which are very capricious; they threw themselves out of the means of obtaining subsistence, and ultimately starved, to the number of 40 or 50. That is more or less the case throughout the whole of the fur posts in the interior.

5390. Mr. *Baines.*] Have they any means of curing the disease which is produced by vice, or does it go on to their destruction?—In some cases it goes on to their destruction, as with the Copper and Chippewayan Indians, who are situated the furthest north, and unacquainted with the use of simples; but with respect to the Cree Indians, who understand the use of many plants, they frequently succeed in curing the disease; the sarsaparilla grows very commonly in the neighbourhood of their hunting-grounds, and they are perfectly well acquainted with its use.

5391. *Chairman.*] You have stated that with reference to one tribe it consisted a few years ago of many thousands, and that it is now reduced to a few hundreds; do you take that to be the case with reference to other tribes?—More or less.

5392. And that extending over the whole of that wide country?—With one exception, that of the Chippewayans, who have been decidedly on the increase.

5393. To what cause do you ascribe that?—I think in a great measure that may be attributed to themselves; they have always been a very provident people, averse to the use of spirituous liquors, and particularly moral in prohibiting their women from cohabiting with white men. In all cases of Indians that I have been amongst, they will very freely lend their wives, or even sell their children, for a mere trifle; but in the case of the Chippewayans no inducement would lead them to such an act.

5394. Are there missionaries among the Chippewayans?—None at all.

5395. With reference to the tribe of the Crees, have any measures been taken in order to promote civilization amongst them?—Far from it; they are perhaps the only tribe that have spirituous liquors given to them. There has been a prohibition by the Hudson's Bay Company to introduce spirits beyond Cumberland House, which is the fur post established for the Crees.

5396. Have there been any means taken to establish schools or send missionaries amongst them?—Not by the Hudson's Bay Company, that I know of. There are Catholic missionaries situated on the Red River, where there is a colony established by the late Earl of Selkirk.

5397. Have you ever visited that settlement?—I have not.

5398. Have you any knowledge of the effect which those missionaries, and the schools which they have established, have produced?—From what I could gather from the traders generally, they have not had any beneficial effect.

5399. Do you think the traders generally were unexceptionable authorities in such matters?—I allude to the case of a party of Indians who were supposed to be more or less civilized, through the medium of religious instruction; but they became perfect enthusiasts. They did not seem at all to comprehend their religious instructor; they thought it was their duty to continue praying throughout the day, and, as a consequence, applied to their missionary for a supply of provisions, since they were so engaged that it was impossible they could proceed on their hunting excursions.

5400. Mr. *Lushington.*] To what country do those Roman-catholic missionaries belong?—I think they have made their way in a great measure from Spain.

5401. *Chairman.*] Can you suggest anything which would be the means, in your opinion, of preventing this decrease of life, and this great debasement of morals, which European contact has produced?—I think that by a proper system the natives might by degrees be brought to cultivate their ground; but not in the first instance. That by teaching them the Lapland system of training their deer, and making them, in the first instance, more of a pastoral people, it would lead ultimately to their becoming an agricultural people. I think that by preventing the trading altogether of provisions from the Indians their condition might in a great measure be ameliorated.

5402. Do you believe, as far as you have opportunities of knowing the state of the natives and their former history, that the effect of European intercourse has been, upon the whole, hitherto a calamity or a blessing to the heathen and savage inhabitants?—Hitherto decidedly a calamity.

5403. Mr. *Hindley.*] What has been the effect of the decrease of the number of inhabitants upon the trade in the interior?—It would be difficult to ascertain;

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the Copper Indians, who produce some very valuable furs, have decreased within the last five years to one-half the number of what they were.

5404. From the same causes?—From the same causes. There, principally, it has been from venereal disease. Men, women and children were all, more or less, affected with it, and several died from that disease at the time I was amongst them.

5405. Has the quantity of fur produced diminished with the population?—I do not think that either the fur-bearing or ruminating animals have diminished, but that they have altered the grounds they used to frequent; the beaver, perhaps, is an exception.

5406. Mr. *Lushington.*] Is it your opinion that the Europeans, who have had communication with those natives, have contaminated them with their vices and pernicious habits, without imparting to them any counteracting portion of instruction and civilization?—Decidedly. I know of but one case of instruction with respect to the North American Indians, that of a Chippewayan, who was indebted to a missionary from this country for his knowledge.

5407. Then, unless a speedy remedy be applied, we must rest in the conviction that the Europeans have deeply injured the aborigines of those districts?—Undoubtedly.

5408. Mr. *Baines.*] Has the Hudson's Bay Company any establishment for affording education to the natives?—None at all.

5409. Neither religious nor moral, nor one having for its object civilization?—None at all.

5410. *Chairman.*] Has any system been adopted with reference to trading, of allowing the natives to run in debt, having therefore something like a lien on their future labours?—That is the system adopted.

5411. Has it been productive of considerable injury to the natives?—I think it has tended most decidedly to their injury; they are allowed a larger quantity of goods in the spring than it is possible they can repay by "skins" the following fall, which debt is increasing from time to time, till they ultimately become refused even those supplies most essential to their existence, that of ammunition; they then become a drag upon their tribe, who abandon them to their fate, and they die from absolute starvation.

5412. Is it then your opinion, upon the whole, that the natives of that great region would have been somewhat more moral, and considerably more numerous, if they had never seen the face of a man professing to be a Christian?—Not a doubt of it.

The Rev. *John Philip*, D.D., called in; and further Examined.

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5413. *Chairman.*] YOU have had considerable opportunities of observing the effect of the laws that were in force relative to the Hottentots, prior to the time in which they obtained the benefit of the 50th Ordinance?—I have.

5414. Are you of opinion that the 50th Ordinance alone would have been productive of all the benefit which was intended, if it had not also been accompanied with the irrevocable Order in Council issued by the Home Government?—I think it would not have been worth the paper on which it was written, without that Order in Council.

5415. Were the Hottentots, prior to the time when the 50th Ordinance was established, in a state of depression and misery as great or greater than that of the slaves themselves?—In a state of greater depression than that of the slaves.

5416. Has the effect of the 50th Ordinance been, where it has been carried fairly into execution, to give them to a great extent the same rights, the same privileges, and the same appeal to law, which belongs to Europeans?—That is the spirit and the intention of the Ordinance; and wherever the Ordinance has been carried into effect we have seen the most beneficial effects resulting from it.

5417. Have you seen the Hottentots who, prior to that time, were in a state as bad or worse than those slaves, rise into a new state of existence, almost into the possession of new rights, and been led to exert themselves in a way that had never been anticipated in former times?—I was confident that the Ordinance would produce a beneficial effect, but the success of the experiment, the elevation to which the people were raised by that Ordinance, went even beyond my most sanguine expectations.

5418. Was there a very strong contrast between the condition of those Hottentots

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tots and their moral feeling when they were in their depressed state, and subsequently to the passing of that enactment?—Speaking generally, there was a very great improvement took place in the Hottentot nation. In particular cases that improvement and contrast was more visible than in others, because the Ordinance came into operation in particular instances where we had a better opportunity of seeing its salatury effects. At the missionary institutions, for example, we saw a decided improvement; but I refer more particularly to the change produced by that Ordinance, as visible at the Kat River, where those people began to be proprietors, and to be free from those restraints under which they were placed in other situations.

5419. Did you find that when they were raised to the condition of freemen they assumed new qualities and new virtues which they had not possessed, and a degree of industry totally new, which they had not possessed during the time in which they were in the condition of slaves?—The whole history of the people since the period when that Ordinance passed, is decidedly favourable to that view of the case; and in particular and numerous instances, we have seen them in the possession of new qualities, and a spirit of industry which evidently sprung up with their recently-acquired freedom and independence.

5420. Were not the whole of the Hottentots who were in that state of degradation and slavery, a lazy and demoralized race of people?—They were what every people on the face of the earth have been when in similar circumstances; people will never be an industrious people without motive, and they were then without any motive to be industrious; but as soon as the motives furnished them by a new state of freedom began to operate upon them, they showed that they were as capable of cultivation and improvement as any other people with whose history I am acquainted.

5421. What symptoms of a better spirit rising up amongst them did you observe at the Kat River?—My first visit to the Kat River was in 1830. I visited the Kat River again in 1832; and I visited it a third time in 1834. I was astonished at the progress I saw during the short period they had been at the Kat River in 1830. In 1832, the improvement they had made from the time that I saw them, had been much greater than I expected. In 1834 their improvement was still going on to my entire satisfaction; they were increasing in knowledge, they were improving in industry, in piety and in morals; and, in fact, in all the domestic relations that are honourable to human nature.

5422. Are you acquainted with the agricultural villages in Scotland?—I have been many years acquainted with agricultural villages in different parts of the country.

5423. Did you, in 1834, find that those Hottentots, recently so debased and so idle, had obtained a degree of civilization and a degree of industry which might bear some comparison with those of prosperous Scotch villages?—I have never seen anything in a Scotch village superior to what I have seen upon the Kat River.

5424. Had the Hottentots undergone great labour in order to introduce a system of irrigation to the country?—They have been at great pains to irrigate the little portions of land allotted to them, and in fact, the channels cut by their own labour were so extensive, that I could not have believed it possible they could have accomplished so much, if I had not seen it.

5425. Have they received any considerable assistance from Government, in order to carry this system of irrigation into effect?—They could scarcely be said to have received any assistance at all from the Government. Captain Stockenstrom on one occasion gave them some seed-corn, but the amount of that was very trifling; I believe the whole amount was an English pint of seed-corn to each individual, and that only for one year.

5426. Will you describe what was the condition of that country prior to the Hottentots being settled there, and what you observed as to the condition and state of agriculture in that settlement in the year 1834?—I had not visited the ground upon which the Hottentots were located on the Kat River previous to 1830, but I may presume that it was in the same situation with the other part of Caffreland adjoining the Kat River; the Caffres cultivate a little, but they never think of irrigating; they never think of inclosing, unless it be a little garden ground. In fact, the state of cultivation among the Caffres is exceedingly rude, and their implements also, although in that respect they were improving. I saw in one instance, in 1832, a Bushman location, and at that time they had been very

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recently established on that location, and they had nothing whatever when they were first located there. They borrowed a hatchet; they made a wooden plough without one iron nail in it, entirely of wood, and with this they cultivated their land. They received from the first crop enough to supply them through the winter, and something to sell. In the second year they cultivated to a greater extent; they had then a very excellent plough, which they made themselves with an iron coulter; they had also made a waggon for themselves; they had had no previous advantages whatever; they were literally in the situation which Captain Stockenstrom mentions, when they asked him what they were to do for means to cultivate their ground. "If you are not able," said he, "to do it with your fingers, you need not go there." But they had resources in their own minds, and those resources were brought into action, and with the most complete success.

5427. Have you any reason to believe that the quantity of crime among the Hottentots has increased or diminished since the 50th Ordinance was passed?—I conversed with several magistrates upon that subject, and those with whom I conversed, and the missionaries, were decidedly of an opinion that crime had considerably decreased since the passing of the 50th Ordinance.

5428. Do you happen to know what the opinion of any of the judges upon that subject was?—I may mention the opinion of Judge Burton, but that refers to the missionary stations; he mentioned, that after having attended three circuits over the colony, the cases that came before him amounted to 299; that he had only two cases from the missionary stations, and they were not aggravated cases by any means. If we estimate the number at the missionary stations at 8,000, and the population of the colony in general, excluding this 8,000, at 132,000, a comparison of the numbers, with the amount of crime belonging to each, will be found to give a most favourable view of the morality of the missionary stations, in comparison with that of the colony at large.

5429. Have you any notion of what the proportion was previous to the passing of the 50th Ordinance?—I have reason to believe that crime had been diminished by the passing of the 50th Ordinance; but I have no means of determining to what extent that diminution had taken place.

5430. Did Judge Burton, or any other judge, express an opinion that crime had decreased since that Ordinance was passed?—Judge Keckwich gave a very decided opinion that it had decreased from 1830 to 1834: "In the year 1830," said Justice Keckwich to the grand jury of the Cape district, "there were 65 indictments; in 1831 only 51, being a decrease of 14; in 1832 they had diminished to 35, being a decrease of 30, as compared with the year 1830, and 16, as compared with the year 1831; in 1833 they had, indeed, increased to 46, being still a decrease of 22, as compared with 1830; and in the present year they amount to 42 only, being a decrease of 26, as compared with 1830." This town and district contain a population of nearly 30,000 individuals. On Monday the 29th ult., between 10 and 11 o'clock, the circuit court was opened in the district of George; on this occasion, his honour, the chief justice, expatiated on the high character this district must hold, by not having a single criminal case this session; and that such had been the case for two previous circuits. This district contains a population of 9,000 individuals; to this we must add that at the field-cornetcy of Kat River, containing a population of about 4,000 individuals, all Hottentots, there has been only one single case before the circuit court for seven years. This clearly shows that crime has decreased since the publication of the 50th Ordinance.

5431. Do you know whether the Hottentots at the Kat River have not only supplied themselves with provisions, but have entered into contracts with the Government to supply the Government with provisions?—They have. I had my information from the commissary-general, who consulted me upon the subject, and he told me that he was highly satisfied, not only with the kind of provision that he had received from the Kat River, but with the regular manner in which the quantities contracted for were delivered at the forts.

5432. Did he go so far as to say that they had executed their contracts with fidelity?—He did.

5433. When you were there, was a large proportion of the children instructed in the schools?—There were 700 children in the schools at the Kat River, when I was there in 1834.

5434. Out of a population of how many?—Out of a population of 4,000.

5435. That is one in every seven?—Yes; and in proportion to the population, that is equal to anything we have in any country in Europe.

5436. Did

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5436. Did you examine the children instructed in the school?—I examined the children in 1834. Sir John Wilde, the Chief Justice, happened to be upon the circuit at Graham's Town; he wrote me a note, saying that he was coming to spend a few days at the Kat River, and I had a public examination upon that occasion; and after the examination was over, he said he had not examined any schools in the colony that had given him equal satisfaction to that which the examination of the Hottentot schools upon the Kat River had given him. He spoke in the highest terms of our normal school, conducted by Mr. Read; he said he had met with nothing equal to it.

5437. Comparing that school with the schools established in this city, do you think they have carried education as far, and that the children answered as well as they do in England?—I can scarcely conceive that children with only the same advantages could, in an examination of the kind, have excelled those children.

5438. What were the subjects taught them?—English reading; the Dutch is the vernacular tongue; they read English exceedingly well, and were well acquainted with geography, and well acquainted with general history; they could write a very fair hand, and they could cipher; the whole system, indeed, was conducted in a manner, in my opinion, that scarcely could admit of improvement. I may mention a fact which is amusing enough. Mr. Read had a request from the boys in the normal school that they would wish to be taught Greek; he kept them for some months in the Greek Testament, and they made very considerable proficiency during the time that they had been under instruction; and then the young girls petitioned that they might also be allowed to learn Greek as well as the boys. The boys presented a petition to the master, saying that they had a strong objection to the girls being allowed to be taught Greek, for they had excelled them in all the other classes, and if they excelled them in the Greek they would get before them in everything.

5439. Was there an infant school there?—There were several infant schools there, in admirable order.

5440. Do you conceive that those infant schools showed the same degree of proficiency that infant schools in this metropolis do?—Quite equal to anything I have seen in England. I have not seen infant schools superior to them, and it has been admitted by all visitors, both from India and England, that they had not seen anything superior to what they had seen in those schools.

5441. You know something of the population in the crowded districts of this metropolis; do you consider that it would be a vast improvement upon the whole, if the youthful population were to be instructed in London, as your youthful population are at the Kat River?—I conceive that it would be one of the greatest blessings that you could confer upon the lower orders of society in London, and upon the community at large, to get their children taught in infant schools. We have various infant schools in the country and in Cape Town, and we have observed a decided improvement take place in the children, and even the parents improved by the improvement of their children. They have been a great blessing to the families to which the children belong.

5442. Was the attendance upon public worship considerable on the part of the adult population at the Kat River?—Considerable; I do not know that any person absented himself from public worship that was able to be present.

5443. Were the chapels as crowded, and was the behaviour of the attendants as decent and decorous as it is in this country?—I never saw, and I have heard many most respectable individuals say they never saw, so much seriousness, so much attention, such deep feelings of devotion, in any congregation in any part of the world as they have seen at the Kat River.

5444. Mr. *Baines.*] Are those congregations composed wholly, or nearly so, of native inhabitants?—Wholly so. You seldom see the eye of an individual diverted for a moment from the preacher; there is a kind of sympathy between them, that they seem breathless when a sentence is begun till the sentence is ended. What they hear is matter of prayer to them after the service is over, and a subject of conversation during the week.

5445. *Chairman.*] Were many shops open on the Sunday?—None at all.

5446. Do you consider that the establishment of the Kat River, and the advancement made by the natives in civilization, had some tendency to create a barrier and a protection to the colony against the inroads of savage tribes?—I do think so.

5447. Was that the opinion of the Government?—I believe that was the general

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general opinion; I believe that was Captain Stockenstrom's view in recommending the Kat River settlement, and I believe that Sir Lowry Cole entertained the same opinion when he consented to it, and gave up that ground to the Hottentots.

5448. Did you ever know, in any part of the world, a more debased or a more idle population than the Hottentots were when they were in a state of abject slavery, or a more industrious and a more improving body of persons than those now are at the Kat River?—No, I have never seen a people more degraded than the Hottentots were; and I have seen no people more industrious than the people of the Kat River are.

5449. Do you think it would be advisable to withdraw the 50th Ordinance, and to introduce some of those restrictions upon personal liberty which were the law some years ago?—Decidedly not.

5450. Have you ever thought that it would be advisable to introduce a vagrant law?—I can see no reason for a vagrant law at the Cape of Good Hope.

5451. Have you ever turned your attention to the subject of the vagrant law?—I have.

5452. Will you have the goodness to state any facts with which you are acquainted bearing upon that subject?—From the present state of the colony, and from the efforts made to establish a vagrant law at the Cape of Good Hope, and from the apprehension I entertain that other efforts will be made to carry the same point, with the permission of the Committee I will give a brief history of the law which was attempted to be introduced at the Cape of Good Hope in 1834. The first thing which alarmed me upon this subject, was a circular published in Cape Town, dated the 7th of January 1834; and there is one passage in that circular which, with your permission, I shall read: "As regards the fears and apprehensions which are, I am aware, entertained on the following points, namely, the entire substitution of the authority of the magistrate for that of the master during the period of apprenticeship, the difficulties which may occur in procuring a sufficiency of labourers to cultivate the farms, and the losses to which property may be exposed from the depredations of the idle and dissolute during that period, you will not fail to impress upon the proprietors that the Legislature has not abolished the domestic authority of the master, or decided upon the emancipation of the slave, without at the same time providing for an efficient stipendiary magistracy, and for the frequent and punctual visitation, by the special justices of the peace, of the apprenticed labourers within their respective districts; and also for the enactment of laws for the prevention and punishment of insolence and insubordination on the part of the apprentices towards their employers, of vagrancy, or of any conduct on the part of the apprenticed labourers injuring or tending to injure the property of their employers; and the proprietors may further rest satisfied that long before the period of the expiration of apprenticeship arrives, other laws will be enacted, having in like manner for their object the prevention and punishment of vagrancy after that period, and for securing a sufficiency of labourers to the colony, by compelling not only the liberated apprentices to earn an honest livelihood, but all others who, being capable of doing so, may be inclined to lead an idle and vagabondizing life."

On the 14th of May of the same year, the draft ordinance of a Vagrant Act appeared in the Cape papers, a copy of which I have here.

[*The same was delivered in, and read.*—Vide *Appendix.*]

Seeing this draft ordinance, I immediately wrote a letter, which I sent to the newspaper, stating my views upon the subject; I waited till the following week, expecting the letter would have some effect in preventing this draft ordinance from being passed into a law, but I found that it produced no alteration in the views of the parties who were anxious to have it as the law, and I wrote a second letter and published it; copies of those letters I will deliver in.

[*The same were delivered in.*—Vide *Appendix.*]

Finding that the council still went on in the course they had adopted, I sent in a personal memorial, with my name affixed to it, to the Governor in Council, stating my objections to the ordinance, which, with the permission of the Committee, I will read.

[*The same was read.*—Vide *Appendix.*]

This memorial did not prevent the council from proceeding in the course which they

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they had entered, and finding this to be the case, after having waited for some considerable time I drew up a second memorial. In the interim, when memorials were called for and got up in favour of the Vagrant Act, I considered it my duty to write to the missionaries for their opinions, and to get memorials from the Hottentot institutions against the Act; I have in my hand, with the letters and opinions of the missionaries, the second memorial that I gave in to the council to prevent the Act being passed; and here are some memorials from the missionary institutions on the same subject, sent to the council, which expressed the sense of the missionaries upon this subject.

[*The same were delivered in.*—Vide *Appendix.*]

When the second memorial was given in, in which I brought before the governor and council what seemed to have escaped their notice, that no alteration could be made in the law till such time as His Majesty in Council should consent to have the 50th Ordinance cancelled, I stated this circumstance, and urged the council to take immediate measures to inform the field cornets and the people in the country, who wereacting upon the draft as if it had been the law, that it was not passed into a law, in order to prevent the evils arising from the people of the country acting upon it as a law. When they saw this to be the case, that they could not make a Vagrant Act without the consent of the King in Council, without rescinding the 50th Ordinance, the council then determined upon rescinding the ordinance, and did rescind it accordingly; declaring, from the view they had taken of the second section of the ordinance, that it was incompatible with the interests of the colony, of the Hottentots, and of the colonists in general. All the judges gave their opinion upon the subject; however, Sir John Wilde differed from the other judges, and took a different view of the subject. This second ordinance was brought before the council, a new draft was made, and the council decided upon sending it home to His Majesty's Government for their approbation—very fortunately for the colony; for I believe if that ordinance had been passed at the time, the history of this colony would have been very different from what it was; fortunately for the colony, the Government took a different view of the subject. When the second draft was brought before the council, it was disapproved of by his excellency the governor, the acting secretary for the time, and the attorney-general; but the majority of the council decided upon the approval of the ordinance, and of course sent it home to His Majesty's Government. With the permission of the Committee, I will deliver in a copy of the Amended Vagrant Act, and of the resolutions of the council relative to the moral and religious instruction of the Hottentots.

[*The same were delivered in.*—Vide *Appendix.*]

I happened to be in the country at the time the Second Ordinance was discussed in the council; I was then in Caffreland, and knew nothing about it till it appeared in the newspaper, together with the reasons recommending it as it had been passed by the council. When I saw the nature of the ordinance and its enactments, I immediately wrote a letter, containing strictures upon the Act itself, and more particularly on the resolutions of council in reference to it. On my return to Cape Town, I found that the council had sent the ordinance home, and therefore this letter was not given in to the council, but I produce it as containing my sentiments upon the Second Ordinance, which, with the permission of the Committee, I shall read and deliver in.

[*The same was delivered in.*—Vide *Appendix.*]

*Mercurii*, 27° *die Julii*, 1836.

MEMBERS PRESENT.

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|---|---|
| Mr. Fowell Buxton. | Mr. Gladstone. |
| Sir Rufane Donkin. | Mr. Bagshaw. |
| Mr. Hindley. | Mr. Baines. |
| Mr. Charles Lushington. | |

MR. FOWELL BUXTON, IN THE CHAIR.

Sir *Rufane Donkin*, a Member of the Committee, Examined.

Sir *Rufane Donkin*, M.P.

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5453. *Chairman.*] YOU held the government of the Cape of Good Hope?—I did.

5454. In what years?—The years 1820 and 1821.

5455. During the time that you held the government of the Cape of Good Hope had you reason to think favourably or otherwise of the system advocated by many persons, of civilizing the natives of South Africa through the medium of missionaries?—The question now put to me is on a matter which I considered a good deal while I held the government of the Cape of Good Hope; and the result of my considerations and my experience there was a conviction, which I still entertain, that the best chance we have of civilizing the savage tribes of Southern Africa, and of converting them to Christianity, was by means of missionaries, who would zealously and religiously devote themselves to that good work, without intermeddling with the politics either internal or external of the colony.

5456. Mr. *Hindley.*] Do you think that the missionary loses his civil character?—Certainly not; but he unfits himself for his religious duties if he takes upon himself a diplomatic or a political character.

5457. Then you think the connexion of civil and religious duties incompatible?—I think for the particular purpose of converting the savages of South Africa, it is, if not incompatible, at least very undesirable.

5458. *Chairman.*] Were you aware that prior to the time you held the government, great encroachments had been made upon the possessions of the natives?—Yes; and I fear that will always be the case where civilized Europeans come in contact with barbarous natives; I am afraid it is a natural consequence of the communication.

5459. You think that persons bearing the name of Christians, and civilized, have that degree of cupidity that they will not allow savage tribes to retain possession of their own property without encroachment upon the part of the civilized?—I think that persons calling themselves Christians very often forget the principles of Christianity; but if they acted up to those principles, they certainly would not encroach upon and rob the natives of their territories.

The Rev. *John Philip*, D.D., called in; and further Examined.

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5460. Sir *Rufane Donkin.*] IT appears in evidence that you have been the superintendent of the London Missionary Society in South Africa about 17 years?—Yes.

5461. Do you recollect writing to Mr. Read for further information concerning the Caffres, to be communicated to the governor, Sir Benjamin D'Urban, in 1832?—I recollect writing to Mr. Read in 1834, not in 1832.

5462. Was that the same Mr. Read that was at Bethelsdorp and Theopolis in 1821?—Yes.

5463. Had

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5463. Had you sufficient confidence in Mr. Read in 1821 and 1822 to ask him for information to be laid before the governor?—I had not that confidence in 1821 and 1822. A circumstance occurred that for a time destroyed my confidence in Mr. Read's testimony; but that was cleared up, and it appeared that Mr. Read was not blamable, and therefore he was restored to that confidence which he had lost.

5464. What was the accusation against Mr. Read?—It was a letter communicated by Sir Rufane Donkin to me, in which he said that Mr. Read had brought false charges against Colonel Cuyler, and that the charges brought against Colonel Cuyler were unfounded.

5465. That was the ground of your diminished or destroyed confidence in Mr. Read's veracity?—It was.

5466. Did you not state in a letter to me, written at the time, that Mr. Read before that was in disgrace with the Missionary Society and with you?—I did. I stated that Mr. Read was not then in the service of the society, but he had not done anything to destroy my confidence in his testimony before he was accused of having brought false charges against Colonel Cuyler.

5467. Had not he done something before that to lower him in your estimation, and, in short, to put him out of the society for a time?—He was then out of the society's service.

5468. How happened it that an individual, who was out of the society at the time alluded to in 1821, for misconduct, or supposed misconduct, should be sufficiently in your confidence to induce you to found upon his testimony so formal a complaint to me against Colonel Cuyler, that complaint being founded entirely upon Mr. Read's representations?—I did not ask from Mr. Read any information; but it happened that in conversing with you one evening in the government-house, you asked me what you could do for the missionaries before you went into the country: and as you expressed the pleasure it would afford you to be able to do something for the society and the missionaries, I said I did not know anything, unless it was a misunderstanding between Colonel Cuyler and the missionaries at Bethelsdorp; and that if you could do anything to remove the causes of complaint, I would feel very thankful for it. Your reply was, "Give me notes." I said I never was in the habit of giving notes, or accusing any civil authority without first apprizing him. You said, "It shall be only for my own guidance; no eyes shall see but my own;" and you having insisted upon my sending you the notes, I sent you the notes from Mr. Read's letter, on the above grounds.

5469. As I have not the slightest recollection of any such conversation as that between you and me, and as far as my knowledge of myself goes, I conceive that as governor of the colony such a conversation could not have taken place, I beg to ask you how you explain your never having alluded to it, nor called it to my recollection in any one of the numerous letters which you wrote to me upon the frontier?—I distinctly stated it in a letter to Sir Rufane Donkin, and I have the letter I wrote to Sir Rufane Donkin upon the subject, and Sir Rufane Donkin's answer, in which Sir Rufane says, "If I said so, I ought not to have said it." I have the letters here, which I will deliver in. With the permission of the Committee I will read the whole of the letter. It is dated the 8th September 1821:—

Dear Sir,

While I reflect upon the confidence with which your excellency has been pleased to honour me, with the attention your excellency has invariably shown me, and the substantial services your excellency has rendered to the cause of missions, such is the distressing embarrassment in which I find myself placed, that I feel that I never on any former occasion stood so much in need of your excellency's candour and indulgence as I do at this moment.

Having already explained to your excellency the reasons which induced me to delay so long in answering your excellency's letter to me from Graham's Town, dated June 11th, and having failed in the object I proposed to myself by that delay, I find myself under the painful necessity of again calling your excellency's attention to that disagreeable subject. In attempting to reply to the first part of your excellency's letter, it is necessary only to say that I have no intention of defending Mr. Read's conduct, that no one can regret the error of the transcriber more than I do, and that I can feel no uneasiness as respects myself at the assertions of Mr. Read, while I have it in my power to confront his assertions by the production of his own letters.

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The whole of Mr. Read's correspondence on this subject is now before me, and I shall be happy to produce his letters as vouchers for my own veracity, at any time your excellency may call for them. The request of your excellency in the concluding part of your excellency's letter, where your excellency says, "I hope you will admonish your reporters, and warn them to take care not to make any more statements to you which will not bear the strictest examination in the mid-day sun," I have invariably acted upon. If I have been deceived in the present instance, it has not proceeded from inattention to that advice, nor has Mr. Read fallen into the error of which he has been guilty with his eyes shut. Respecting Mr. Read's statements I was in the first instance incredulous, but they were made with so much confidence, so much minuteness of detail, that I began at last to think that there must be too much truth in them. After having been brought so far, I still had my suspicions, and continued my warnings till those warnings were treated with contempt, and it began to be pretty broadly insinuated that I was afraid to offend, and that the Hottentots were to be sacrificed to my timidity. Even after matters had come so far, and I found myself compelled to listen to his representations, some fears remained, and I continued in every letter I sent him to warn him against high colouring and exaggeration in his statements; I again and again pointed out to him the consequences which might result from the failure of any part of the evidence which he might bring forward; and I as frequently stated to him that if the subjects of complaint were to be exhibited under any form, it would be much better that his proofs should be found stronger than his assertions, than that his statements should be found, on inquiry, to have been overcharged. When to these cautions and admonitions I added entreaties, and begged him by every consideration that could be supposed to have weight upon his mind, not to bring forward charges against any one that could not be proved, I had the following sarcastic reply: "I believe they can be too easily proved." It was under these circumstances, and the impressions made upon my mind by them, that I first stated my feelings and fears on this subject to your excellency in the government-house, previous to your excellency's departure from Cape Town to visit the interior.

When, in answer to your excellency's letter of the 18th, I expressed my views of the nature of the communication to your excellency, your excellency will recollect that what I then stated was not mentioned in the way of crimination, but simply as an apology for the inaccuracies of the transcriber. At the time in which the papers which gave rise to the investigation in question were transmitted to your excellency, my views were, that your excellency would request the missionaries to bring forward their own complaints; that your excellency would by this means be furnished with a list of grievances; that this list of grievances, as furnished by the missionaries, would form the ground of your excellency's inquiries. In answer to any objections which may be urged in opposition to the views I then entertained, I have to plead the deep interest your excellency always appeared to take in the cause of missions, and the confidence and friendship with which your excellency had always honoured me.

While I recollected the readiness your excellency had always shown to aid the cause of missions, the professions frequently made by your excellency that you would be happy to serve the missions in any way in your power, and the marks of favour I had received from your excellency on account of the cause in which I was engaged, in applying to your excellency on this occasion I perhaps too much forgot the respect due to his excellency the acting governor, and considered myself as addressing a friend with whom I could entrust my own character, and the interests and honour of the missionary institution. I recollected also, that at the time I stated to your excellency my objections to furnish your excellency with any written documents on this subject, that my scruples and reluctance were removed by the words used on that occasion by your excellency:—that the papers transmitted to your excellency should be employed as notes only; that they should be private; that they should be under lock and key, and that no eye should see them but your own. I hope your excellency will not for a moment suppose that I can be capable of the slightest intention of insinuating that your excellency in this business has been guilty of any breach of good faith. While I disclaim the thought of imputing to your excellency the smallest dereliction of moral principle, it appears to me that the whole affair may be easily accounted for by supposing it to have arisen from an accidental lapse of memory. It can be no reflection on your excellency to suppose that amidst the multiplicity of affairs demanding your excellency's attention at Uitenhage, the conversation on which I consented to furnish the papers in question as grounds for inquiry, and not as specific charges, were forgotten. I now regret that I did not send a letter with the papers, expressing my views on this point; but those views having been already expressed in conversation, I really felt an aversion to renew them again, lest after what had taken place I should have appeared to have betrayed a want of confidence.

In reply to your excellency's remarks on the letter accompanying the papers, I shall say but few words. I grant that while I was writing that letter I was in earnest; that I was under strong impressions, true or false, that your excellency's interference was necessary to save the stations of Bethelsdorp and Theopolis; but while this is granted, it must be allowed that nothing can be more general than the terms in which the sentiments contained in that letter are expressed. In the letter under consideration no names are mentioned, no specific charges are exhibited, no directions are laid down; and of this I am certain, that nothing could have been further from my thoughts at the time when that letter was written than the intention of recommending to your excellency's adoption any measure of an inquisitorial nature, or in the slightest degree inconsistent with the strictest principles of integrity and honour.

The situation of Mr. Read, in relation to the London Missionary Society in London, when the

the business commenced, is a matter of minor importance; but as it has been noticed by your excellency, some explanation is necessary. Your excellency is aware of the circumstances under which Mr. Read accompanied the Rev. Mr. Campbell into the colony: apprehensive that he might, on his arrival at Cape Town, be discarded by the deputation of the Missionary Society, as a precaution against such a measure, he appears to have left his family at Bethelsdorp. He knew the strong attachment the Hottentots at that station entertained for himself and family; and he might have supposed with some probability, that had we intended to get entirely free of him, could he once get his family settled there, we might be obliged to yield to the difficulty of removing him.

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Finding ourselves at a loss to decide upon his case, the deputation determined to refer it to the directors of the society they had the honour to represent, and to allow Mr. Read to remain with his family till their decision arrived from England. Such were the circumstances under which Mr. Read went to Bethelsdorp after his arrival from his journey to Lattakoo; and I was so far from being guilty of sending him to Bethelsdorp on this occasion to teach Christianity to the heathen, that, on leaving Cape Town, he was strictly prohibited from opening his mouth to teach Hottentots under any pretext, until instructions were received from London, in answer to the communication the deputation had sent home respecting him. It was under these circumstances that, in replying to your excellency's remarks on this subject, I felt myself justified in saying that I had not sent Mr. Read to Bethelsdorp to teach Christianity in the service of the London Missionary Society. Notwithstanding the circumstances under which Mr. Read has been for some time placed in respect to the London Missionary Society, I have no hesitation in saying that, till the late investigation took place, I knew nothing in the character of Mr. Read which affected his veracity, or that rendered him an incompetent witness to attest any matter of fact that might have come under his observation. Dear Sir, I have the honour to be your excellency's humble, much obliged, and most obedient servant.

To his Excellency Sir Rufane Shaw Donkin,
Acting Governor and Commander-in-Chief,
&c. &c. &c.

5470. Have you any answer to that?—Yes, it is here; and again in a letter, dated Cape Town, 1st June.

My dear Sir, Government House, 10 Sept. 1821.

I DO not know that your letter of the 8th requires any reply from me; but I cannot help requesting that you will consider all that you have said in it respecting my friendly feelings towards missions and missionaries, and towards yourself in particular, as still applicable in all its original force. I have never wavered or been lukewarm on that subject. In regard to the Bethelsdorp and Theopolis papers, I regret exceedingly, as you seem to do, that you did not accompany them with some explanatory letter, independent of the official one which covered the papers. Had you given me the least hint that you considered them as "private," I should have immediately returned them to you, and have desired them to be sent to me officially, or to be withdrawn.

In regard to the promise you allude to, and details, I must say that I think that I could never have made any such promise. I am certain I never ought to have made any such; but if any such promise was made by me, the very nature of the papers, which contained the severest and most specific charges against public functionaries acting under my government, would at once have absolved me from such promise, had I made it; for no man can, by any moral code, be deemed bound to commit or to lend himself to an act of gross injustice, in consequence and fulfilment of a blind promise (admitting it to have been made) antecedent to his knowing all the conditions and uses to which such promise was to be applied.

The sacredness of a promise I feel as strongly as any man living, nor do I believe that in my whole life I ever broke one; and I am conscious of so much sincerity in all that I have ever expressed of favourable feeling and regard towards yourself, that I never could have intended or contemplated anything but the most friendly and candid mode of proceeding towards you; nor did I ever contemplate the possibility that the open and direct mode I was proceeding in, could in any way operate in a manner unpleasant to you.

Be assured of my readiness to receive, at any and at all times, your communications, official or private, and you may most entirely rely on any communications made privately and confidentially to me, respecting your society, being preserved by me inviolably, provided they do not involve the characters of individuals; but whenever, and by whomsoever, the functionaries of this government are accused, it is my bounden duty, and one from which no promise or arrangement or communication of mine can absolve me, to investigate such accusations openly.

This duty is imperative on me; and were I even so disposed, it is one from which I could not shrink in consideration of any man. I hope I shall not have occasion to recur to this painful subject. You have my best wishes, and you shall always find how truly I am, my dear Sir, your very faithful well-wisher and servant.

5471. That letter to me is dated the 8th of September 1821, therefore it was written between four and five months after the 23d of April 1821, on which day you

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you addressed this letter to me (*a letter being shown to the Witness*)?—Yes; I will explain that.

5472. That letter of September 1821 was written to me after you had had time well to weigh and reflect on the intermediate correspondence which had taken place between us, between April and September?—Sir Rufane Donkin's first letter to me on this subject is dated 18th May; and on the 1st of June, in reply to that letter, I made the following statement, which contains the substance of my letter of the 8th of September: "Your excellency is aware that the papers put into the hands of your excellency were prepared in great haste, and received by your excellency as private. Had I supposed that your excellency would find it necessary to make them the basis of public investigation, I would not have trusted the business to a transcriber." From the above extract it appears that Sir Rufane Donkin had no reason to complain of delay, his letter having been written from the country, and there not having been more than 11 or 12 days between them. My reason for resuming the subject in my letter of 8th September is as follows: I beg leave to remind Sir Rufane Donkin that Captain Vernon had the subject communicated to him by Sir Rufane himself, and he came to me and asked me for an explanation of the subject; and I beg leave to mention that, at the same time, Sir Rufane referred the subject to the arbitration of Sir Jahleel Brenton. This was some time after the affair took place. I cannot recollect exactly the time, but it was several weeks, perhaps nearly two months had elapsed before Sir Jahleel Brenton spoke to me respecting it. The letter dated 8th September was written at the request of Sir Jahleel Brenton. He pressed upon me to write that letter at that period, and to state what I did state in it; and I showed Sir Jahleel Brenton that letter before I sent it to Sir Rufane, and he approved of it.

5473. Sir *Rufane Donkin.*] In answer to your remarks, I distinctly say that I have not the slightest recollection of holding any communication with Captain Vernon, and I think it is quite impossible that I, knowing that all the correspondence which I am going to lay before this Committee was officially deposited in the Colonial-office at Cape Town, and was either already transmitted or was to be transmitted to His Majesty's Government; I think it quite impossible that I could have put a matter which was not yet decided upon by the King's Government, for the arbitration of Captain Vernon, or of my friend Sir Jahleel Brenton, however highly I respect him, which I most certainly do very highly; and I think that if any governor of a colony could so far forget what he owed to himself as the King's representative, as to make individuals at the colony arbitrators between him and one of the King's subjects in the colony, he would be betraying his duty as governor and as the King's representative. After this statement, I ask you whether you still persevere in your assertion relative to Captain Vernon and the arbitration?—I do; I wish to give one explanation. Sir Rufane says, that the matter was referred to the King's Government. I do not consider that the matter, with reference to the communication being confidential or not confidential, was referred to the King's Government. It was referred to the King's Government whether the charges which Sir Rufane declared to prove a foul conspiracy against Colonel Cuyler, were to be sustained. The particulars that I gave Sir Rufane as notes from the letters of Mr. Read, containing eight charges, were declared by Sir Rufane Donkin to be false charges, generally speaking, and a number of letters were written by Sir Rufane to the Colonial-office, which were read to me, but I was refused copies of them, and therefore I could not answer those letters. Now these letters, I suppose, were sent home to the Government; but I conceive it was the charges that must have been sent home, not the question whether the notes were private or public.

5474. Sir *Rufane Donkin.*] The whole of these documents were sent home, and are now before the Committee?—If they are before the Committee, I have to state that the whole of the eight charges which were considered by Sir Rufane Donkin as false, were afterwards proved to have been all true. By the handwriting of Colonel Cuyler, seven of those charges were proved, and the eighth charge by 32 witnesses before the Crown Commissioners of Inquiry; and here are the letters of Colonel Cuyler proving seven of those charges.

[*The Witness delivered in the same. For the letters and remarks of the Witness, on the charges brought against him by Sir Rufane Donkin,* see *the Appendix.*]

5475. Will

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5475. Will you look at that letter, and state whether it is in your handwriting (*a letter being shown to the Witness*)?—That document is not in my handwriting, but the signature is mine.

5476-77. Sir *Rufane Donkin.*] This letter is endorsed by me as follows: "Put into my hands just as I was setting out to go to the frontier, and delivered to me at the hall door by a black man."

[*The same was delivered in, and read as follows:*]

Sir, Saturday Morning, 28 April 1821.

I HAVE long hesitated to put this statement into the hands of your excellency. There is no part of my duty so painful as that which obliges me to be the organ of the complaints, even of a suffering people, and my reluctance to bring the present business under the review of your excellency has been greatly increased by the tender regard I have always felt for the feelings of your excellency. I have delayed this representation from time to time, always hoping that some change would take place to render it unnecessary; but finding my expectations are not likely to be realized without some direct interference in the matter, I should not have done justice to my own conscience, nor to the society I have the honour to represent in South Africa, nor to the duties I owe to my fellow creatures, had I allowed the present opportunity to slip without making an attempt in favour of the oppressed stations in question. From what is contained in the document put into the hands of your excellency, your excellency will perceive that the deplorable condition of the Hottentots could not have been much longer concealed; and I sincerely hope that the necessity of some general regulations will in the course of this journey suggest itself, to put an end to the present sufferings of the poor people, and prevent the recurrence of the evils under which they now groan. Among the other important services rendered to the missions of this country, it will afford me the highest pleasure to have to communicate to the directors of the London Missionary Society, that the prompt and seasonable interference of your excellency has secured two of their institutions from ruin, and given birth to a new era in the condition of the oppressed Hottentots in that interesting portion of South Africa. While in the present case your excellency, by your exertions, is arresting the evils which threaten our institutions, encouraging the hearts of the friends of missions, and giving fresh facilities to our labours amongst the aboriginal inhabitants of this country, you are elevating a depressed and degraded people to their natural condition in society, rendering an essential service to the oppressors themselves, promoting the best interests of the colony you have the honour to govern, and drawing down upon your own head, and upon the head of that child which occupies such a large space in the heart of your excellency, "the blessing of them that are ready to perish." Praying that your excellency may in this journey enjoy much of the greatest luxury allotted to man in this vale of tears—the luxury of doing good, and that your excellency may be speedily restored to Cape Town in perfect health, followed with the best wishes and blessings of all the parts of the colony your excellency may visit,

I have, &c.

Sir Rufane Donkin, Knt., &c. &c. &c. *John Philip.*

Having heard this letter, do you consider this as a private confidential communication to me, either in style or in matter?—That letter was written subsequent to the conversation I had with you; it was written the next morning.

5478. Then you did not consider this as a private confidential communication made by you to me?—I do not recollect what my views were when I wrote that letter. I wrote the letter the next morning after the conversation I had with you the night before.

5479. Can a letter beginning formally "Sir," and written from beginning to end, as the letter which you have just heard is, in a sustained style of respect, containing also this expression in your own name, "I should not have done justice to my own conscience, nor to the society I have the honour to represent in South Africa;" containing also this other sentence, "It will afford me the highest pleasure to have to communicate to the directors of the London Missionary Society, that the prompt and seasonable interference of your excellency has secured two of their institutions from ruin;" could a letter written in such a strain as this letter is written in, generally, with two such official demands on me for my interference on behalf of the London Missionary Society, ever be considered by any man in his senses as a private and confidential communication?—That letter has reference to the general system, about which I conversed with you, and which I expected to see altered in every part of the colony.

5480. Mr. *Hindley.*] Did you consider the statement accompanying this letter to be a private communication?—I do not know whether that letter was sent in exactly with the statement; but the statement that I sent in the next morning was a private communication, at least I understood so; whether that letter was

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sent in with the statement I do not recollect, but that letter I consider to refer to the general system.

5481. Mr. *Lushington.*] You were in the habit of addressing Sir Rufane Donkin, when you wrote to him privately, "My dear Sir." What led you to depart from that form, supposing this to be a private letter?—I do not know whether it was invariable. If it was a public letter I considered it as referring to the general system, about which I conversed with Sir Rufane very fully, and hoped that his visit to the colony was to produce an alteration in the general system.

5482. As a matter of form in epistolary correspondence, do you consider that you wrote that letter as the head of the London Missionary Society in South Africa, to Sir Rufane Donkin, as governor of the Cape of Good Hope, or did you address it to Sir Rufane Donkin in your private capacity, as Dr. Philip only?—I wrote that letter, I think, in a private capacity, as expressing my views with regard to the hope I cherished in reference to Sir Rufane Donkin's exertions to make a change in the system.

5483. Then you deny its official character?—My impression is at this moment that I wrote it in that way.

5484. In what way?—From the conversations I had had with Sir Rufane Donkin, I cherished those expectations, and I wrote it in the hope that some alteration might be made in the general system.

5485. Did you mean to express that hope in a private or in an official manner?—I do not recollect what my feelings were at the moment when I wrote that letter. It is 15 years since that letter was written.

5486. You have been in the habit of conducting correspondence with the government of the Cape of Good Hope?—Yes.

5487. Then you can of course describe what you consider to be an official course of correspondence, and what you consider to be a private one?—Yes.

5488. Sir *Rufane Donkin.*] Could a letter written in the sustained respectful style in which that letter of the 28th of April 1821 is written to me, and in which there are two passages which call upon me, formally and officially, to do my duty towards the oppressed Hottentots, which have been already read, by any possibility be considered a private letter: could any man who ever heard of an official correspondence, or of private correspondence with an official functionary, suppose that this letter of yours of the 28th of April 1821, to me, could be considered by me or by any other man as a private letter?—I can only answer as I have done, that I have no recollection of what my feelings were at the moment I wrote that letter; but that letter was written in reference to the general system. The sentiments contained in that letter had been frequently the topics of private conversation between Sir Rufane Donkin and myself.

5489. Could you simply as Dr. Philip, if you had been writing to me as a private friend and as an individual, have used such an expression as this: "I should not have done justice to my own conscience, nor to the society I have the honour to represent in South Africa;" and this other sentence, "It will afford me the highest pleasure to have to communicate to the directors of the Missionary Society that the prompt and seasonable interference of your excellency has secured two of their institutions from ruin;" could you simply as Dr. Philip use such language as that to me, being the governor of the colony?—I cannot say any more than I have said upon that subject. I merely say, that the letter I conceived as referring to the general system, and I wrote the letter in consequence of the conversations I had had with you upon that system, from the hope that I entertained that an alteration would be made in it; and that I was in the habit of speaking to you in private in the same style.

5490. Mr. *Lushington.*] You may refer to a general system both in a public and in a private form; upon this occasion did you refer to that general system in a public form or in a private form?—I had spoken to Sir Rufane Donkin upon that subject, and I presume that I referred to it rather in a private form. I cannot be positive upon the subject. I cannot charge my memory with what my impression was at the time.

5491. Sir *Rufane Donkin.*] You are asked to state distinctly whether this letter was considered by you as a public or a private letter?—I can give no other explanation than what I have given. I have stated my impression.

5492. Do you recollect writing a letter to me, dated "Cape Town, 1st June 1821,"

1821," and which is now shown to you [*a letter being shown to the Witness*]?—I have no recollection of the letter, but the signature I acknowledge. Rev. *John Philip*, D.D.

5493. In this letter you state, that "the papers put into the hands of your excellency," addressing me, (that was under cover of your letter of the 28th of April 1821), "were prepared in great haste;" now, how do you reconcile your telling me in that letter on the 1st of June 1821, that the papers enclosed in your letter of 28th April were prepared in great haste, with the very first paragraph of your letter to me the 28th of April 1821, which paragraph is, "I have long hesitated to put this statement into the hands of your excellency"?—The letters from Mr. Read had been in my hands for a considerable time, I forget how long, before I made any use of them, or before I thought of making any use of them. 27 July 1836.

5494. Then if they had been in your hands a considerable time, how could you say that the letter laying them before me was written in great haste?—Because it was not till I had been with you the evening before alone, when we were in the government-house, that you pressed me to send those papers; and I went home that night and made those extracts, and they were sent to you the next morning; so that though I had meditated upon the subject long, they were prepared in great haste.

5495. You have told us this morning, that in the year 1821, when I was up the country, Read had no official character as a missionary, either on the part of yourself or of the London Missionary Society?—Yes, that is correct.

5496. Do you know that Mr. Read at that time, when not employed by your authority, or by that of the London Missionary Society, presented himself to me, when holding the government of the Cape of Good Hope, to prefer formally a severe complaint against the landdrost of Uitenhage, and in the name of the London Missionary Society?—I am not aware.

5497. But if you had supposed he was going to do any such thing, would you have sanctioned it?—I would not have sanctioned his doing anything in my name, or in the name of the society; but as Mr. Read was accused of having brought false charges, he was, I think, justified.

5498. By whom was he accused of having brought false charges?—In the first letter you sent from Uitenhage, you state that the charges were false that he brought against Colonel Cuyler.

5499. How could he have been accused of bringing false charges to you at Cape Town before you had actually presented those charges to me, as the dates of the events which occurred will sufficiently show?—I know nothing of the period to which you refer. If you refer to any period after you brought your charges against Mr. Read, I humbly conceive that he was justified in calling upon you to vindicate his own character.

5500. The question does not relate to any subsequent period of the charges, but the question is, whether Read the missionary was authorized by you before I went up the country, at the time I was travelling up the country, to present himself to me as a missionary authorized by you, and authorized by the London Missionary Society, to present complaints to me on behalf of you and of that society?—I have no recollection at this moment of his being authorized by me.

5501. But you have admitted that he was in disgrace with you and the London Missionary Society at the time?—He was.

5502. Then do you think it is likely that you did authorize him to present himself to me?—Previous to his being charged it is not likely that I should; but after he was charged with having brought false charges against Colonel Cuyler, I think it is probable I might have called upon him to vindicate his own character.

5503. *Chairman.*] Do you mean to say that you had so much distrust of Mr. Read, that if you conceived that he was the possessor of important information relative to the Hottentots, you would have discouraged his communicating that information to the government?—I had no distrust of Mr. Read till after Mr. Read was charged by the governor with having brought false charges against Colonel Cuyler; then for a season, till his character was cleared up, I had suspicions of his veracity.

5504. Sir *Rufane Donkin.*] Was not he also in serious disgrace with the society on other and antecedent grounds?—That had nothing to do with Mr. Read's veracity.

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5505. Does not that lead you to doubt a man's character in toto?—I never had any reason till the affair in question took place to doubt Mr. Read's veracity.

5506. Then you think a man may be an exceptionable character, and unfit to be employed by the London Missionary Society, or its respectable representatives, and still be worthy of credit as to any facts which he may think proper to state?—I think a man may be received as a witness with reference to facts, although he may be censurable in some particular case.

5507. In your letter of the 28th of April were enclosed to me two papers, one of them docketed, in the same handwriting in which the whole paper is written, as follows: "Complaints of the Missionaries and Hottentots at Bethelsdorp." The other paper is also docketed, in the same hand as the paper is written in, "Complaints of the Missionaries and Hottentots at Theopolis." Do you know in whose handwriting those two papers are?—I think they are in the handwriting of a man of the name of Dunn.

5508. Who was he?—He is now government resident or collector of customs at the Broad River.

5509. Was he your clerk?—He copied these papers.

5510. Was he your clerk or in your employment?—He was not my clerk; he was not further in my employment than I had employed him a few times in copying papers for me.

5511. *Chairman.*] He was not regularly in your employment?—No.

5512. Do you now admit that those were the complaints forwarded to you by Mr. Read?—I know that I gave him Mr. Read's letters; that I pointed out in pencil what he was to extract from those letters, and that I sent you what he said he had extracted from those letters.

5513. But those letters were sent to you by Mr. Read?—The originals all came to me from Mr. Read.

5514. And you adopted them as Mr. Read's complaints?—I adopted them as Mr. Read's complaints.

5515. Sir *Rufane Donkin.*] With the permission of the Committee I will read this paper.

State of things at Bethelsdorp.

TWELVE men were last December ordered from Bethelsdorp to Somerset farm; at the time this demand was made there were two men there of a former party: while these men had nothing but a bare subsistence for their work, their families were in a state of starvation. When the Hottentots are allowed to choose their own masters, they can earn at Port Elizabeth and other places one dollar and a half and two dollars a day, besides their food; for work which they are constrained to perform by the local authorities of the district, they are allowed barely 2*sks.* per day; 2*sks.* or 3*sks.* a day was the sum allowed the Hottentots by government when the price of labour in general was low, and the necessaries of life at less than one-third of their present price.

A water-fiscal has lately been appointed at Uitenhage. This man, who is a boor, has contracted with the local authority of the place to keep the water channels of the drosdy clear for a specific sum of money. To enable this water-fiscal to live upon his contract, Hottentots are commanded from Bethelsdorp, and serve him at 2*sks.* or 3*sks.* per day. This man, in addition to what he compels the Hottentots to do for him in the line of his trade, has lately built a substantial and commodious house for himself, at which the poor Hottentots were compelled to work on the same low wages they are compelled to serve him in his official character as water-fiscal. When the last statement I received was written (in the end of February) this man had nine Hottentots who were forced to serve him in this way; a few weeks before he had as many as 12.

In the end of February there were four men from Bethelsdorp who were compelled to serve as constables. One of these men, labouring under a pulmonary complaint, and unable longer to work, after having served the local authority of the district on terms on which he could make no provision against future casualties, is discharged and abandoned, and must either starve or become a burthen upon the institution.

At the time the statement was drawn up there were seven boys belonging to Bethelsdorp employed in the service of the post-office. This is a very heavy oppression upon Bethelsdorp. More than half the missionary's time is taken up with secular business belonging to the local authorities of the districts, for which no indemnification is made, while he is continually pestered with messages which he is obliged to find people to carry to the different places to which they are addressed. The poor Hottentots who are compelled to bear those messages are often occupied whole days with them, for which they receive neither food nor wages.

Bethelsdorp is the only institution which suffers from this cause. This kind of oppression is confined to Bethelsdorp. Sedenfaden, at Caledon institution, has 800 dollars a year as a postmaster, and he has not half the trouble which the missionary at Bethelsdorp is obliged to take without remuneration. During the late Caffre war above 70 men were more than

six

six months from their homes without receiving one farthing of wages. The greater part of these men were all this time employed about Uitenhage; and while they were doing duty as soldiers (watching by night and digging by day) their poor wives and families were starving at the institution. During this period they were forced to contract debts with the farmers, which still keeps them in misery and bondage. About 18 months ago 24 of the finest young men in the institution were forced to enter into the Cape corps.

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These facts are not stated for the purpose of obtaining remuneration for the past, but in hopes that the sufferings of the people will obtain some mitigation. If the Hottentots must be soldiers, let the different institutions be called upon to furnish their respective proportions, that the burthen may not wholly fall on one or two institutions; if others are called from home on the service of government, reason, humanity says, that their poor families should have something allowed them.

Whatever may be said in defence of this system, so far as it regards the army, no reason can be assigned why the poor Hottentots at these institutions should be liable to be called upon by any local authority in the country to serve himself or his friends at 2*sks.* or 3*sks.* a day, when they can earn almost as many dollars when allowed to hire themselves to masters with whom they can enter into mutual agreements.

In February one Hottentot earned in 10 days, by his waggon, 270 rix-dollars. It is a hard case that such a man should be taken from his family and compelled to work for 2*sks.* a day, while his waggon and his oxen are unemployed.

One individual at Bethelsdorp, who has a waggon and oxen, was lately compelled to drive the waggon of a boor to Graham's Town. Had he had his own waggon with him, he would have received for this journey 76 rix-dollars; and all he received for this compulsory service was seven rix-dollars. The condition of the Hottentots among the farmers is enviable in comparison of the condition they have been in for some time at Bethelsdorp and Theopolis. While a Hottentot is serving a farmer, his wife and children are fed, but while they are engaged in this compulsory service, their poor miserable families are thrown entirely destitute.

Colonel Cuyler applied some time ago for some additional Hottentots to labour at his farms. The missionary could not send him as many as he wanted; none can join the institution without permission from the landdrost. Shortly after the colonel met with this disappointment, some Hottentots applied for permission to go to reside at the institution; the application was refused. When the missionary Barker requested to be favoured with the colonel's reason for this arbitrary conduct, he was told that no more should be allowed to join the institution till they appeared to be better taught in it. The circumstances of this affair are deserving of particular notice; it is evident that the people would have been allowed to join the institution had the missionary been able to furnish the men the landdrost wanted for his own farm.

It is painful and distressing above measure to see a public magistrate making private emolument from the power invested in his hands by government for the protection of the good and the terror of evil-doers, perverting this power to promote his own interest and to gratify a vindictive temper.

The landdrost has taken care that his declaration should not be an empty threat, for from the time this declaration was made till the month of February, not one Hottentot had been admitted to join the institution.

Dr. *Philip.*] In order to save the time of the Committee, I beg leave to read to the Committee a passage from the Report of the Crown Commissioners, who examined into this subject among others, and which completely confirms the charges brought forward by Mr. Read against Colonel Cuyler.

[*The same was read as follows:*]

The demands upon the labour of the Hottentots at the different institutions have chiefly occurred at Uitenhage and Graham's Town. They have been required to work in the repair of the high road when the Hottentot servants and slaves of the other inhabitants were not put under requisition; they have been ordered to work in cleansing the watercourses of these towns, a duty which ought to have been borne exclusively by the inhabitants; they have on various occasions been ordered to act as drivers of waggons employed in the public service, when they were possessed of waggons which might have been hired and been driven by themselves; they were ordered to repair to the Somerset farm, conducted on account of government, to assist in getting in the harvest, and to act as drivers and labourers in the service of the engineer department. The orders from the landdrost of Uitenhage and from the deputy landdrost of Albany, addressed to the missionaries at Bethelsdorp and Theopolis, which were furnished by the superintendent of the missions, prove the frequency and purpose of these requisitions. It has been customary in the colony, when labourers are required to make or repair roads, to call upon the inhabitants of the district through which the road lies to furnish a proportion of their slaves, and overseers of the roads have been appointed, by whom this contribution is regulated. A government advertisement of Lieutenant-general Baird, dated in 1806, imposed a penalty of 50 rix-dollars for neglect of such requisitions; and as the slave population was unequally distributed in some of the districts, Hottentot servants have been sent on some occasions to supply their places, receiving rations, but no pay. It must here be observed, that when the Hottentots in the service of the farmers are so required, their wives and families are supported in their absence;

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but when the men are taken from the missions their wives and families have not support, and they are not allowed to accompany their husbands. The roads upon which the missionary complained that several Hottentots from Bethelsdorp had been employed, were, in one instance, not remote, and not, in another, within the proper limits of their district; and as in the repair of both the Hottentots were as much and perhaps more interested than the other farmers, the requisition of their labour did not appear to have been unjust. The same observation, however, does not apply to the requisition of their labour by the water-bailiffs of Uitenhage and Graham's Town. These persons receive salaries, and the Hottentots employed were paid the sum of 2 *sks.* or 4 ½ *d.* per day, by the districts, with subsistence. It has been contended by the landdrost of Uitenhage, in his answers to the several subjects of complaint, that this rate of wages greatly exceeded that of labourers under contract in the district, or of those hired by the superintendent of the smith's forge at Bethelsdorp. The observation was correct in point of fact, as it applied to contracts for six months in a year; but it was in proof that the Hottentots, when employed by the missionaries at Bethelsdorp or by the farmer in the neighbourhood, could obtain 4 *sks.* or 9 *d.* sterling, when employed by the day, and more than that during harvest. The inequitable nature of the impost, however, appeared to my colleague and myself to form the greatest objection; the benefit to be derived from the labour was clearly local, and enabled the inhabitants of Uitenhage in particular to irrigate their gardens. They were also possessed of slaves and Hottentots, who might have been required to perform the work without calling upon those of Bethelsdorp. As the term "Public Works" was vaguely interpreted, we were not surprised to find that the power of commanding labour under that pretext had been abused. We found that upon one occasion the water-bailiff of Uitenhage had detained the Hottentots who had been assigned to him, for the purpose of assisting him in building some walls upon his own premises in Uitenhage; and that the landdrost had employed some of those who, during the invasion of the district by the Caffres in 1819, had been required for the protection of the town of Uitenhage, in reaping his barley and in weeding his vineyard, and another party in clearing some land upon his estate at Doomkraal; some district labourers also assisted in the former description of work: the landdrost produced a receipt for some of the men's rations from the contractor, and regretted that the payment of the others had escaped his memory. Although the evidence of the men employed on these occasions will be found to differ respecting the period and nature of their employments, yet after the admission made by the landdrost in reply to the statement which was laid before him, there can be no doubt of the misappropriation of their labour at a very critical period. The Hottentots at the missions, independently of the contribution of men which they have been called upon to make to the ranks of the Cape regiment, have been required to serve on commandos on the armed expeditionary force against the Caffres. This is a service to which all the inhabitants are liable, and without pay; but the Hottentots in the year 1820, were compelled to remain in the service of the engineer department, as labourers and drivers, after the expedition had returned; and it appears that in consequence of their refusal to make permanent engagements, the commanding officer would not allow them pay, and they suffered greatly from want of clothing, which was only relieved by the humanity of the officers of the engineers. Those that have been employed since that period have received seven rix-dollars per month and their rations. In a former report we notice the requisitions which the landdrost of Uitenhage made upon the missionary institution for post-riders, and for which service only three rix-dollars per month were paid by the public, although the contractor received a certain sum for finding the means of conveying the mail-bag from one station to another. Hottentot boys are selected for the service, and as it is a severe one and much disliked, the landdrost has recourse to the missionaries to compel or to persuade the boys at these institutions to perform it. During the period of the Commissioners' visit at Uitenhage, numerous cases were brought before them of Hottentots who were desirous of repairing with their cattle and property to the institution, but had been refused by the landdrosts. Making due allowances for the circumstances which these witnesses have detailed, it should be observed, that the restraints upon the Hottentots were continued long after the circumstances which justified them had ceased to exist, and that the changes in the system pursued at Bethelsdorp were not followed by any corresponding relaxation of the rule by which Colonel Cuyler took upon himself to regulate the admission of the Hottentots to that institution.

5516. Were those commissioners totally unconnected with the colony, and unmoved by any local influences that might prevail there?—They were totally unconnected with the colony; they were sent out by the Government.

5517. Did Sir Rufane Donkin, after he had entered into an investigation of those charges which you made against Colonel Cuyler, address you in a letter, dated June 11th, 1821, containing these words: "I will not go into further details, but I will conclude by assuring you again of what you well knew before; my very high consideration for your personal character, of my respect for your zeal in the holy cause you have taken up, as well as for the manner in which, generally, you have represented the very respectable society to which you belong. Believe me, dear Sir, with very high esteem and consideration, yours most truly, R. S. Donkin"?—He did.

The Reverend *Samuel Young*, called in; and Examined.

5518. *Chairman.*] WERE you a Wesleyan missionary residing at the Cape of Good Hope?—Yes. Rev. *Samuel Young* 27 July 1836.

5519. Where were you stationed?—Severally at Graham's Town, and in the tribe of T'Slambie and at Pato's, and at Salem, in the colony.

5520. How long were you resident in the colony?—Six years.

5521. Which of the tribes did you reside at?—Six years with T'Slambie's tribe, and three years with Pato's tribe.

5522. Where were you when the late irruption took place?—At Salem.

5523. Did you see any of the chiefs during the period of the invasion?—Several.

5524. Can you state a conversation that took place between yourself and any of them?—Yes; I have drawn up a short statement which contains the substance of it:

In the month of April 1835, Congo, a chief of the Gonagebie tribe of Caffres, called at my residence in Graham's Town, and informed me that he wished to have some conversation with me upon the subject of war which was then going on between the Caffres and the colonists. Congo commenced by saying, "There are two reasons why I wish to see you: first, because you have been our missionary for several years; secondly, because you are now preparing to go to England; and there you will perhaps see some of the great people, who will ask you some questions about the war." He observed also, that we had frequently conversed together both in Dutch and Caffre, but at this time he would rather make his statements in Caffre, as he had brought his confidential interpreters, Valentine and Klaass. Congo then commenced by stating that his brothers Pato and Kama and himself greatly lamented the war which was then going on; but that they had not power to prevent it. I then asked him if they knew anything about it before it broke out; and he replied, Yes, they were requested by Macomo and Tyalie's messengers to join in the war, but they had positively refused. I then asked him to inform me what the messengers said when they came to request Pato's people to join them. Congo then stated that the different chiefs, viz. Macomo, Tyalie, Botman, Eno, Jasana and others, were talking of attacking the colony, and that these messengers were particularly sent to inform Pato and his brothers, and to urge them to assist in the war, stating that they must have the help of the Gonagebie tribe. Congo then asked them "Why do you wish to go to war with the English; is it because they have been into the Caffre country, and taken away the cattle?" Answer, "No." "Is it because of the late misunderstanding which took place with the young officer (Ensign Sparkes) and the Caffres, when he came after colonial cattle?" Answer, "We were much grieved at that circumstance, but that is not the reason why we wish to go to war." "What then is the reason?" Answer, "The great reason is the land (meaning the neutral country); for our children have increased, and our cattle have increased, and we must have that land, as it was formerly our country. We are determined to fight for it, sooner than be without it any longer: that country to us is like having more cattle, because of the (Inyamakazi) bucks, and other game." Congo, "Leave that subject, you children of Gaika, for you above all other Caffres have the least reason to complain and talk of fighting. If any people should be dissatisfied about the neutral land it is our tribe, for we were deprived of the whole of the land of our fathers by your father, Gaika, when he agreed with the governor (Lord Charles Somerset) that it should remain unoccupied from the Fish River to the Keiskamma; hence we were deprived of the whole of our land, but you were only deprived of a part of yours; and yet we have nothing against the English; they are our best friends; they never come into our country to steal our cattle, nor kill our people. The other Caffres have frequently tried to make us dirty, and bring us into trouble with the colonists, by bringing stolen cattle through our part of the country in the night, and then we have had letters upon the subject from Colonel Somerset; but in such cases we have followed the traces of the cattle to the end, and then we have always been able to satisfy Colonel Somerset, by getting our missionary to write for us and explain the case to him. We have therefore nothing against the colonists, and cannot join you in the war; and we advise you not to think of fighting with the colonists until you can make guns and ships, and then you may talk of fighting with them." This was the final reply of Congo to the above messengers. In a few days after this communication, the other Caffres made an attack upon the inhabitants of the districts of Albany and Somerset. Congo informed me that some of their people were anxious to join in the war, from what they considered the great probability of success, but that himself and brothers had informed them that those who joined in the war must consider that it was the same as if they fought against Pato, and they would be treated accordingly. Congo's concluding remarks were delivered with great feeling, in which he observed, that "If any person should inquire of you in England respecting the war, tell them that this is our official communication, and that we greatly lament the breaking out of the war, but we could not prevent it; and we hope that the great people will not leave us now in our trouble."

*P. S.* It has been said by some persons that the commando which went into Caffreland, and burnt the houses, was just at the breaking out of the war, and that the houses were burning

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burning when the Caffres commenced fighting. I was myself at Beaufort when Lieutenant Ross returned, and saw him the same evening, which was on the 20th of November 1834. The war commenced on the 22d of December 1834.

With the permission of the Committee, I will beg leave to read a few observations upon this. The first observation is:

The ground of the confidence of the Caffres as to their success, was in their having increased so much in numbers since the last war, in 1819. They had therefore a choice number of young men, better furnished with spears than in any former period of their history. Secondly, they had a very considerable number of horses and guns, and consequently could raise a rather formidable number of cavalry. Hence they were quite confident of success. It is also a fact that they have increased much in cattle during the last ten years. I am quite satisfied of the truth of these remarks from my own observation, having resided in Caffreland six years, and have frequently heard the Caffres make the remarks themselves; and it is a singular fact that most of the leading men of several of the tribes always had their cattle places either in the neutral country, or as near to the colonial boundary as they could possibly get, considering them much safer there than in any part of their own country; hence it is clear that if they have lived in any dread from any quarter, it was not from the colonists, but from the more interior tribes.

5525. Without asking you whether you consider that a nation is justified in going to war under any circumstances; supposing that the French had taken Yorkshire from us, and we were grown stronger, and we had numerous cavalry and many strong troops, do you think there would be an indisposition on the part of Great Britain to endeavour, upon the most convenient opportunity, to recover the country which had been taken from us?—I should think there would not.

5526. Are you very much surprised, then, that savages not having our enlightened views, should have recourse to war in order to gain the re-occupation of their own country?—No, I am not surprised.

5527. Do you think that the system which has been going on upon the frontier in some parts, of sending commandos into the country to recover the cattle, making it a matter of mere accident whether the guilty or the innocent were punished, was a system that was likely to promote peace?—Certainly not.

5528. Do you feel a very strong objection to the system of commandos?—I have an objection to it.

5529. Is it a strong one or a weak one?—That depends upon the manner in which they are conducted, and in which they conduct themselves.

5530. Supposing the Caffres had adopted as just a system as could be of commandos upon their part, and that when their cattle were taken from them by the Europeans, they had sent a body of their troops into our country to seize cattle in return, or to recover the stolen cattle, do you think the British Government would have endured that system?—Certainly not, if they had gone directly to take them.

5531. Do not you think then that the Caffres had some degree of provocation when it has appeared in evidence before this Committee that patrols were going out weekly and almost daily?—I cannot answer that question; we have not had them in our parts of the country in that way.

5532. But supposing there had been weekly patrols going into the country occupied by Congo and others, do you think they would have been as well satisfied as they are, and that they would have been as well disposed towards us in the late insurrection as they have proved themselves to be?—I should think not. I should wish to remark there, that the patrols have come into Pato's country and into the country of T'Slambie during my residence there, but when they have come they have not carried off cattle in the way just referred to. It has generally been after cattle taken by other tribes, who, in order to evade detection, generally brought them into Pato's tribe, and have taken them up into the more northern part of Caffreland. Proper inquiry has generally settled those matters.

5533. Do you think that civilized and Christian people ought to observe the principles of perfect justice in dealing with natives?—Certainly.

5534. Do you think from what you have known, not of the spot where you have been specifically located, but of other districts, that the principles of justice have been observed in our conduct towards the natives?—From what I have heard, I should think in some cases they have not.

5535. Do you think it is the tendency of the settlement of Europeans in districts inhabited by savages, to introduce diseases and evils of various kinds; and that

that in consequence of the introduction of those evils, it is our duty and our business to provide them compensation in the shape of moral and religious instruction?—Yes; I should think it our duty to do that.

5536. Do you believe that we have introduced evils amongst the native inhabitants of South Africa, which call upon us to make compensation for those evils in the shape of moral and religious instruction?—To a certain extent I believe that.

5537. Do you think that a system of perfect justice and effort upon our part to civilize and to christianize the people, or a system of patrols and commandos, and aggressions of various kinds, tends most to promote commerce between us and the natives?—I think a system of endeavouring to christianize them far preferable to any other. No system of commandos could ever bring them into anything like civilization, independent of the other.

5538. Do you believe that the system which has been adopted for many years at the Cape, is one as perfect as it can be made, or that it is susceptible of improvement?—I should think it might be improved.

5539. Were not you, as a missionary anxious for the instruction and conversion of the native heathens, desirous that this country should make considerable efforts in order to improve the native population?—Most certainly.

5540. To what do you attribute it that the tribe of Pato has so long remained unmolested?—From their general good behaviour, from their general good conduct.

5541. They have remained upon terms of peace with the colony?—Yes.

5542. And they have not been invaded by those patrols and commandos?—No; I suppose for 10 or 12 years they have had nothing of the sort directly to them.

5543. Had they any reason to complain of any occupation of their lands by the Europeans?—They have always complained, as it occurs here in this statement, that the country which is here called neutral was the land of their fathers; and that is the land they have always wished to recover.

5544. Do they still feel a soreness upon that subject?—Yes.

5545. Do not you think it probable that the same soreness, or a still greater one, would have been felt by Macomo and Charlie, on account of the occupation of the neutral territory which had previously belonged to their father?—I was not aware that they were entirely deprived of it.

5546. Are not you aware that they were deprived of a considerable portion of their land?—Yes.

5547. Do not you think they would feel sore at having been despoiled of that portion of their land?—Certainly.

5548. Do you think that Charlie and Macomo had no reason whatever to complain of the conduct of the British Government, in sending patrols and expeditions into their country?—That is a question I could not well answer. I know very little of their circumstances personally or by immediate communication.

5549. Are you able to speak of the grievances to which Macomo and Charlie are subject, or is that a matter which has not come under your immediate cognizance?—That has not come under my observation, and therefore I cannot well speak to it.

5550. You do not pretend to say which party was in the wrong, or whether both parties were not in the wrong, in the system which has pervaded the border adjacent to Macomo and Charlie?—I conceive that they were wrong in making an immediate attack upon the colony.

5551. Are you aware of the expedition that went out under Lieutenant Sutton and Lieutenant Sparkes?—Yes.

5552. Do not you think it very natural that an expedition going out in that manner, in one of which expeditions the brother of the chief was wounded, was calculated to exasperate the Caffres?—Certainly; but it is probable that they invited something of that sort, by their being already ripe for war, by their conduct.

5553. But you have already said that you would not be surprised at their being disposed to enter into war with us the moment they felt themselves strong enough for it?—They had that feeling; and that was the reason, I believe, why they took up the subject in the way they did.

5554. They felt that they had been aggrieved, and they took the first convenient opportunity of redressing themselves?—I do not think that was the imme-

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diate cause of the war. I have seen since I came to England a wrong statement of that, in my opinion, as to the time of their being removed from a portion of the neutral country and the burning of the houses. There is a note to that effect in the document I have read. I was myself at Beaufort at the time when the lieutenant returned with his men, and there seems to be a discrepancy of a month between the statements I have seen in England and the actual circumstances.

5555. You gathered your information from the reports of the commanders of the expedition?—I saw the officer himself when he returned, Lieutenant Ross.

5556. Do not you think there might possibly be a very different statement made by the Caffres if they had been heard?—Certainly. I merely refer to the discrepancy in the dates; it being said that they commenced immediately fighting while the houses were burning, when they did not commence till a month afterwards.

5557. What was the date of the expedition?—The 20th of November was the date of Lieutenant Ross's expedition, when the houses were burned.

5558. What was the date of Lieutenant Sutton's expedition, and of Lieutenant Sparkes's?—That I cannot speak to; that was nearer the time.

5559. Was not Lieutenant Sparkes's expedition immediately before the breaking out of hostilities?—I cannot say; it might be three weeks before.

5560. What was the date of Lieutenant Sutton's?—About the same time; a few days after that, I believe.

5661. Then in point of fact those expeditions of Lieutenant Sparkes and Lieutenant Sutton were immediately prior to the breaking out of hostilities?—Yes.

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*Veneris*, 29° *die Julii*, 1836.

MEMBERS PRESENT.

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| Mr. Charles Lushington. | Mr. Buxton. |
| Sir Rufane Donkin. | Mr. Thornely. |
| Mr. Hindley. | Mr. Baines. |

MR. CHARLES LUSHINGTON, IN THE CHAIR.

The Rev. *John Williams*, called in; and Examined.

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5563. *Chairman.*] YOU resided in the South Sea Islands for several years as a missionary?—Yes; I was 18 years absent from England.

5564. In which island did you principally make your residence?—In Raiatea, the principal of the Society Islands.

5565. How long is it since you left?—Two years.

5566. Had Christianity made much advance in those islands?—Yes; all the people were professedly Christian; there was no idolatry remaining.

5567. Will you give the Committee a description of the general state of those islands during the time you were there, and at the period when you left them?—There is scarcely any statement that I could make that would be applicable to every one of the islands; they were in a varied state of prosperity, some better than others; but, generally speaking, the people were consistent in their profession of Christianity till the introduction of ardent spirits.

5568. Will you state any remarkable facts as applicable to particular islands?—I will mention a fact with relation to the island in which I resided, the island of Raiatea. There the principal chief of the island was particularly sober; and indeed on his embracing Christianity he made a vow to Jehovah that he would never again taste ardent spirits to the day of his death. I knew him most intimately for 15 years, and he kept his vow sacredly; and during that time I do not think for 15 years I saw three persons among all the inhabitants of the island in a state of intoxication.

5569. What was the population in the island?—There was another island connected with it; there were 2,000 upon one and 1,000 upon the other, making 3,000 upon the two islands.

5570. Did they all profess Christianity?—Yes, all of them. The old chief died, and

and his son, a dissipated young man, came to the government; and during my absence an Englishman came there with some casks, and the young chief allowed him to introduce them; and which rekindled, as it were, the dormant appetite of the people, and brought a great number of evils with it. That was the state of the island when I left; a great number of them had fallen victims to intemperate habits. Rev. *John Williams.* 29 July 1836.

5571. Had you reason to apprehend, at the period when you left the island, that the natives were relapsing into idolatry?—Not a single instance; among all the thousands of converts that I have met, I never saw one turn again to idolatrous practices.

5572. But their principles of Christianity were not sufficiently strong to enable them to resist the allurements of liquor?—No, not universally; but had I stayed, my influence was such among the peple that I could have induced them to abandon the use of it again; but as I was coming to England I did not think it well to form any temperance societies among them, because I should not be upon the spot to superintend their operations, and I did not like that the people should make pledges and afterwards break them; but I am happy to say that the last letters are of the most satisfactory kind, as they state that the people have abandoned its use altogether.

5573. Did you leave any of your missionaries in the island when you left it?—Not at the time. A young man came out to succeed me; while I was upon the passage home he was upon his passage out, and he died about three months after his arrival.

5574. What led to the resumption of their regular habits?—The visits of my brother missionaries, and the letters I have written out to them, and seeing the good effect of the abandonment of the use of ardent spirits at Tahiti and the neighbouring islands. They lamented it very much indeed; and there was only one obstacle to its abandonment when I left, and that was the young chief being so much addicted to it.

5575. Will you state any other facts which occur to your memory as illustrating the state and habits of the people of those islands?—The present state of the islands is most satisfactory, with the exception of one, the island of Porapora, which is the only one that retains the use of ardent spirits, I believe, in the whole of the Tahitian and Society Island group.

5576. Have they relinquished also other habits of debauchery?—There is a portion of them who, though they have renounced idolatry, have not felt the converting influence of Christianity, and are in the habit of going on board ships for bad purposes; and intercourse with shipping is certainly very detrimental to the moral habits of the people.

5577. Have they relinquished entirely the practice of polygamy?—Yes, entirely; there is no instance of it now, that I know of.

5578. What is your opinion as to the result of the intercourse of Europeans with the inhabitants of those islands, excluding the missionaries?—I should say, with few exceptions, that it is decidedly detrimental, both in a moral and civil point of view. And in attempting to introduce Christianity among a people I would rather by far go to an island where they had never seen an European, than go to a place after they have had intercourse with Europeans. I had ten times rather meet them in their savage state than after they have had intercourse with Europeans.

5579. Does that opinion arise from your conviction that the Europeans who have usually resorted to those islands have endeavoured to introduce their own vices and bad habits amongst the natives?—Yes; it is the common sailors, and the lowest order of them, the very vilest of the whole alone, that will leave their ship, and go and live among the savages; and they take with them all their low habits and all their vices.

5580. Are instances frequent of seamen deserting their ships for the purpose of consorting with the natives?—Yes, very frequent; and the more so in islands where they are partially tamed, as it were, but where missionary influence has not yet extended. There is one island called Rotuma, between the Navigators and the Friendly Islands, where, upon one occasion, I heard there were nearly 100 sailors, who had run away from shipping.

5581. Are the commanders of the vessels in general anxious to detain their seamen on board, or do they rather wink at their deserting?—They wish to keep the good ones; but if they get a bad one they wink at his going, and rather facilitate it than otherwise.

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5582. When those seamen take up their residence among the natives, do they generally treat the natives with kindness, or tyrannize over them and oppress them?—They generally treat the natives with kindness, because they are dependent upon them. There are some exceptions. There was a most tragical circumstance occurred with some convicts that came from New South Wales. They stole a small vessel, and came down from New South Wales; they made the Society Islands, and several of them took up their residence at Raiatea, my own residence. I was absent at the time; and when I came home three of them came to my house, and represented themselves as shipwrecked mariners. I asked them where they were wrecked; they told me in 73 degrees north. I asked them how they got to our islands. They replied, in a whale-boat. I then asked them how long they were in coming; they said three weeks; and I asked them other questions of the same kind, their answers to which convinced me at once that they were telling me falsehoods; and I told them that from their appearance I was convinced that they were convicts from New South Wales; and from the shape of the boat, which was what is called a Five Island timber boat, my conviction was confirmed. I informed them that I had authority from Sir Thomas Brisbane, the Governor of New South Wales, to act in the capacity of magistrate, and I should consider it my duty immediately to send up information to his Excellency that such and such persons were here, and that he would forthwith send a vessel to take them away. Hearing this they left our island, and went to an island about 20 miles away, called Huahine, where the chief received them with kindness, as they again represented themselves to be shipwrecked mariners. He took them into his own house, and gave them everything that was requisite for their comfort. They took the opportunity, when he and his family were away, of getting food, and stealing the boat belonging to the missionary of that station, and put to sea in the night. About half an hour afterwards the boat was missed; the natives immediately fitted out another boat and went in search of them, and happened unfortunately to meet them at sea. The natives went up to them, and in a friendly manner addressed them in the native language, saying, "We have come to fetch you back; you must not take away our missionary's boat." Instead of replying they discharged a blunderbuss that was loaded with coopers' rivets, which blew the head of one poor man to pieces. They fired a second time, and struck a second person in the abdomen, and blew away the fore part of his body, and he died. A third was fired at and received the discharge from the blunderbuss in his back. One of our servant boys was in the boat, and he escaped by jumping into the sea and swimming underneath the boat. There was only one person now remaining in the boat, and he withstood them as long as he could; at length he received the contents of a blunderbuss in his hand, and fell from exhaustion among his mutilated companions, and was also left as dead. The little boy and this unfortunate man succeeded in getting the boat back again. The natives were very respectable persons; and if it had not been that we were established in the estimation of the people, our lives would have been sacrificed. The convicts then went in the boat down to the Navigators' Islands, and there entered with savage ferocity into the wars of the poor savages; most of them, however, are now killed. One of these men was the most savage monster that I ever heard of: he boasted of having killed 300 of the natives with his own hands.

5583. You mentioned that Sir Thomas Brisbane had invested you with the authority of a magistrate, what was the extent of those powers?—I do not know. I was with Sir Thomas several times when in the colony, and he asked me if I would act in that capacity. I told him I should feel a pleasure in so doing. He gave me a letter to Judge Wilde, who, as we were leaving the colony the next day, was too much engaged to prepare the necessary document; and Sir Thomas told me that I must act in the meantime, and that the document should be forwarded by the next conveyance; but never having received it, I do not know the extent of the power with which I was to have been invested. But from what passed between his Excellency and myself, I felt bound to transmit to New South Wales any information that might be of importance to the government.

5584. Merely as the channel of transmitting information?—Yes.

5585. You would not have considered yourself justified in putting any Europeans in confinement, or punishing them?—No; had I had that power I could have secured all those people, and prevented all the disastrous consequences I have mentioned.

5586. Then you were perhaps to be considered more in the light of an agent than

than a magistrate?—Yes; I never considered myself as fully invested with the office; but from the communication I had with Sir Thomas I considered myself bound to transmit any information that might be of importance.

5587. In fact you could exercise no jurisdiction of a magistrate as it is usually exercised?—No.

5588. Do not you consider that the deficiency of that power might be supplied with great advantage?—Yes, I think it might be with very great advantage, not only to ourselves but also to the shipping, for those runaway sailors do incalculable mischief among the natives, by circulating reports that are injurious to the interests of the shipping. For instance, a ship will come out to purchase whatever it may want, and those fellows will poison the minds of the natives by telling them that in England they would get 10 and 20 times as much for their produce; not describing all the expenses that are incurred in fitting and sending out ships, &c. For instance, in the sale of a pig they will tell the natives that in England the animal is cut up into joints, and the leg is sold for a great deal more than they obtain for the whole carcase. And the natives listen to those representations, and frequently ships go away with their wants unsupplied and their trading objects unaccomplished, from the natives demanding too much for their articles in consequence of the representations of these worthless fellows.

5589. The chiefs of these islands are all independent?—Most of them are independent of each other.

5590. And we have no sovereignty over them?—No, I understand not.

5591. Then would the chiefs, generally speaking, object to the establishment of magistrates or agents in the islands?—By no means; they would like it much; it would prevent them experiencing very great inconvenience, for they do not know what to do at times with those people who occasionally visit them, and appear to be under no restraint whatever.

5592. They would consider the residence of a magistrate or political agent with sufficient powers, as a great defence against the lawless proceedings of abandoned Europeans?—Yes; I think they would decidedly; I do not think they would approve anything like force; they would look with a jealous eye upon everything like a military force. The visits of ships of war have done a great deal of good among us, Capt. Waldegrave and Lord Byron, and Capt. Lawes and various others. Perhaps it might be an excellent substitute for the residence of an agent, if they were visited periodically, in six or nine or 12 months, by a ship of war. The captains are generally very gentlemanly in their behaviour; we must speak in the highest terms of all the vessels of war that visited us, both from England and America, with but one exception.

5593. Then you consider the conduct of the captains and the crews of His Majesty's ships has been uniformly such as to elevate the British character in the eyes of the natives?—Decidedly so.

5594. Are you also of opinion that, on the other hand, the conduct of the captains and commanders and crews of whalers and other private ships has been calculated, generally speaking, to excite an unfavourable impression of our character?—Yes; there are some most honourable exceptions; it is not every ship that comes, the commander of which conducts himself otherwise than with great propriety; and there are some that are in the habit of visiting us twice or thrice a year, whose conduct is very praiseworthy.

5595. But the general effect of the intercourse of such ships with the natives, is in your judgment injurious to the welfare of the inhabitants?—Yes. There was one very important circumstance occurred about three years ago; the Oldham whale ship was taken by the inhabitants of an island called Wallace's Island, and a vessel of war went there some time afterwards and fired upon the people, and I heard that about 60 or more of the inhabitants were killed upon that occasion. Now all persons who are acquainted with the circumstance, know very well that the captain and crew were the aggressors; the captain was a man of exceedingly wicked habits, and not content with the poor unfortunate females that came on board the ship, he made most of his crew intoxicated, went on shore, and was in the act of dragging off the chief's wife and daughters for the purpose of prostitution (and the chiefs are looked upon by the people as sacred), when they arose upon them and massacred them nearly all; a little cabin-boy only escaped amongst the casks.

5596. When was this?—Three or four years ago.

5597. Was it the subject of investigation at New South Wales?—No, there was merely

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merely an account of it given in the paper; but it certainly is desirable, if the natives are to be so severely punished for avenging their own injuries, that some steps should be taken to prevent our countrymen from inflicting those injuries.

5598. Can you suggest any mode by which our intercourse with the natives might be improved?—I think, either the residence of some person favourable to the improvement of the natives, or the periodical visits of vessels of war; for if it was to be known generally that vessels of war would come and take cognizance of all misdemeanors, it would act as a very powerful check upon the conduct of those who are not influenced by good principles.

5599. Are the natives fully competent to distinguish between the character of ships of war and private traders?—Yes, quite so.

5600. And, generally speaking, those natives with whom you have had intercourse would not be disposed, from possessing this power of discriminating, to visit upon missionaries and respectable Europeans the violence of the crews of those whalers?—No, not at any of those places where missionary influence extends, or where Christian knowledge has been circulated. Since I left, I understand that at the Navigators' Islands a very tragical circumstance has occurred. A captain of an American ship did something that displeased the natives, with the particulars of which I am not acquainted, and a small trading vessel went there shortly after, and I think the captain of it, with one or two of the people, were killed, and the small vessel was taken. We have commenced missionary labours at this group; this circumstance, however, occurred at a part remote from the residence of our native missionaries. The natives generally think that the English people are all connected with each other, and for an injury inflicted by a previous vessel they will seek revenge upon the vessel that follows. Upon one occasion we nearly lost our own lives under similar circumstances at New Zealand. But I think in most instances where those tragical circumstances have occurred, the English have been, either intentionally or unintentionally, the aggressors. Not possessing a knowledge of the language, they misinterpret each other's intentions.

5601. Then you think that, on the whole, the Europeans have generally been the aggressors?—Yes, I should think so, upon the whole. Quarrels arise frequently from misconception. The first time I visited the Navigators' Islands, I landed there about eight o'clock at night; the natives were entirely in a savage state, and an immense concourse of people were assembled on the sea-beach with clubs and spears, and other implements of war. On landing I was welcomed by the chief's son, to whom I said "I am very tired; where is your father's house?" In a moment he made some signal to his people, and they pounced upon me, lifted me up and carried me away. Now had I been the captain of a vessel, the crew in all probability would have fired upon the people, which would have been of course retaliated by the natives, and bloodshed would have been the consequence. Therefore, very frequently these distressing affairs arise from misconception of the intentions of the natives.

5602. In the groups of the Pacific Ocean what islands are Christianized; what have partially received the truths of the Gospel, and what remain in their original Pagan state?—The Tahitian and Society Islands are Christianized; the Austral Island group, about 350 miles south of Tahiti; the Harvey Islands, about 700 miles west of Tahiti; the Vavou Islands, and the Hapai and the Sandwich Islands, where the American missionaries are labouring, and are 3,000 miles north of Tahiti, and the inhabitants also of the eastern Archipelago, about 500 or 600 miles east of Tahiti.

5603. What are the principal islands in the Archipelago?—An island called Chain Island; the group consists of a great number of small coralline islands. Chain Island is the largest, and perhaps there may be a thousand people upon that.

5604. Mr. *Hindley.*] What would you consider the population of all the islands you have mentioned?—Including the Sandwich Islands, I should think perhaps 200,000.

5605. All Christian?—Yes.

5606. *Chairman.*] Now will you state those that have partially received the Gospel?—The Navigators' Islands, Tongatabu and the Marquesas, are partially under the influence of the Gospel, where missionary labours have just been commenced.

5607. Mr. *Baines.*] What is the population of those that are partially Christianized?—It is rather difficult to say, but I should suppose from 100,000 to 150,000.

5608. *Chairman.*] What are those that remain unchristianized?—The Feejees, the

the New Hebrides, Solomon's Archipelago, New Caledonia, New Britain, New Ireland, and New Guinea, with the adjacent islands. Those are the groups that remain still to be visited by missionaries.

5609. Can you make any estimate of the population of those?—No; but I should say by far a greater number. New Guinea is 1,200 miles in length, and 200 or more in breadth, and said to be inhabited by several millions of people. The Feejees is a group of 150 or more islands, one of which is 500 miles in circumference. The Hebrides is also a very populous group, but we can form no estimate of the population; they are very wild and savage, and it is dangerous to have any intercourse with them.

5610. Do you consider that since the communication of Europeans with the islands with which you are acquainted, the population has decreased or increased?—I should say in all the islands, with one or two exceptions, the population has increased since I have known them.

5611. Mr. *Baines.*] How long is that?—I was there 18 years. Since Christianity has been embraced by them, the population has increased.

5612. *Chairman.*] The question refers to the first commencement of our intercourse with them?—It is undoubtedly decreased since that time. If there is any dependence to be placed on Captain Cook's statement, the population must have greatly decreased. Captain Cook was certainly one of the wisest and greatest of men that ever visited that part of the world, for his remarks, observations, and representations are exceedingly correct. His estimate of the population, however, was certainly too great; but deducting one half or two-thirds, the population must have decreased since our first intercourse. Their wars were so frequent; infanticide also prevailed to a greater extent of late years than formerly; and then the introduction of European diseases among them.

5613. Do you ascribe the diminution of the population to our people having introduced among them European vices and diseases?—Undoubtedly; but the very circumstance of coming in contact with Europeans will introduce a disease among the people; mere common intercourse, without introducing any vicious habits among them; I have known several instances of that.

5614. Mr. *Baines.*] Do you mean the diseases of vice?—No; there is an island called Oparo or Rapa, about 1,000 miles south-east of Tahiti, where a disease was introduced by a ship which I do not attribute to any vicious conduct on the part of the crew; but a disease was introduced there which reduced the population above half.

5615. What was the disease called?—I do not know; but it took the natives off with astonishing rapidity; a kind of fever; it seized them in their heads, they became delirious, and died in a very short time.

5616. *Chairman.*] Do you ascribe those effects to the commixture of European with native blood?—No; it is a very singular fact, that the mere circumstance of a ship's coming has in many instances brought diseases to the islands from South America and other parts.

5617. Do you mean that those were ancient European diseases, or were they engendered by the mere intercourse of the ships' crews and the natives in a manner which you cannot account for?—Yes; it appears that the bare social intercourse between the ship and the natives, produces a disease among the natives which carries them off in the way that I have described. It created a great sensation, and there was an investigation into it; the natives called it by the same term that they use for a musket, and we thought that this ship had been firing upon them, and we inquired into the affair, but it was no such thing; a disease was introduced by which the people were carried off in great numbers.

5618. Are you aware that any medical investigation has ever been instituted into this very extraordinary fact?—No; we had no medical men among us, but it is a fact that can be substantiated by every missionary upon the island of Tahiti.

5619. Mr. *Baines.*] Do you know whether the persons that came there were labouring under anything that would be considered an epidemic; and that they would have been liable, if they had gone to any other place where the inhabitants were Europeans, to have communicated disease?—No; my conviction is this, that had they come to the island where I was residing nothing would have resulted. But there is a certain something in the first intercourse between Europeans and natives, that introduces disease on the part of the latter. I do not know what it is, but that is the fact.

5620. Mr. *Hindley.*] Are the languages of the different islands dialects of one root?—

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root?—There are two radically different languages: there are two races of inhabitants of the South Seas, one the curly-headed negro with a very dark complexion, sunk eye, and thick lip; the other straight-haired, and Malay countenance. All eastward of the Feejees and New Hebrides, are of the straight-haired and light-coloured character; and all those to the westward, at New Caledonia, and New Hebrides, and New Guinea, are of the negro race; and where this line of demarcation in the races commences, there the language differs. In all the eastern dialects every word terminates with a vowel, and every two consonants are divided by a vowel; but in the negro population that is not observed.

5621. *Chairman.*] Putting aside the obvious blessing of Christianity, is it your opinion that the results of European intercourse with those islands have been beneficial or not?—I think that, had it not been for the introduction of Christianity, many of the islands would have been depopulated. I should think that, unless Christianity is introduced, they had better have no intercourse at all with Europeans.

5622. Have not our people endeavoured to give useful instruction to the natives?—I think in no one instance, that I can recollect. I think one or two of the runaway sailors, who have married native women, have been industrious in their habits; one is a blacksmith and another a carpenter; but, generally speaking, they are a worthless race of fellows.

5623. Have the missionaries made it their business to teach the natives trades, and the useful arts of our country?—Yes. I have made eight or ten sugar mills for them with my own hands. I built a ship there, and when the natives saw what could be done upon their own islands, with their own materials, they imitated the example, and have now many small vessels of their own building, just like our ships, instead of their own canoes; 20 to 50 tons burden.

5624. Has the character and style of their dwellings improved?—Very much indeed. We have taught them the art of making lime from the coral rock, and they now plaster their houses, and divide them into apartments, and live in families.

5625. Have they adopted European improvements in agriculture and gardening?—Not so much in that as in other things, because our modes of agriculture are not adapted to their articles; for instance, their bananas and their yams, and their bread-fruit, cannot be cultivated in our way; our mode of agriculture is not adapted to those articles.

5626. Does not the general tenor of your recent answers show that the natives have derived advantage from our intercourse with them in addition to the blessings of Christianity?—Yes; but all this is to be ascribed to the result of Christian principle implanted in them by missionary labour. We could not get them to do anything, or evince any attention to industrious habits, till they made a profession of Christianity. There must be an impetus given to the mind before they will aspire to those improvements.

5627. These facts, which the late questions have elicited from you, are introductory to one general and leading question, which is, whether in our endeavours to introduce Christianity among barbarous nations, civilization or Christianity should take the precedence?—I have not the slightest hesitation upon that. Christianity must precede; you cannot get a barbarous people to attend to anything of a civilizing process, or to aspire to any European habit, till you give them Christian principle. You must eradicate their disposition to war before you can get them to desire earnestly the blessings of peace; and what is to do that but Christian principle taking possession of the mind?

5628. But supposing they were inclined to attend to your suggestions and exhortations with regard to a civilizing process only, would not that smooth the way to the introduction of Christianity?—I do not know; the difficulty is to get them to attend to anything of that kind until they have embraced Christianity.

5629. On the whole, then, you think it expedient and indispensable, that, in the successful introduction of civilization, you should use the great engine of the truths of the Gospel originally?—Undoubtedly; I think the most effectual and the most speedy way to civilize a people is to commence with teaching them the principles of Christianity.

5630. Mr. *Hindley.*] Which of the tribes of islanders shows the most intelligence, the Malay tribe or the negro?—We have not had any intercourse with the negro tribes; our intercourse has been entirely with those of the Malay caste.

5631. Do you find them intelligent?—Particularly so. I think their intellect

quite

quite equal to that of Europeans; but they have not the material to operate upon that we have; but everything brought under their notice, they can comprehend and enter into with just as much interest as we do. Rev. *John Williams.* 29 July 1836.

5632. Do they eat any animal food?—Yes, a great deal more now than they did formerly. Cattle have been introduced among them. When we went there first there were no animals but pigs. I have visited many islands where they had nothing but rats; and we have introduced goats and pigs, and cattle. Beef can be obtained now at most of the islands at the small rate of 2*d.* per pound, and that is a great advantage to our shipping. There were no animals at all but rats in many of the islands I have visited.

5633. What kind of fuel have they?—Firewood.

5634. No coals, nor any appearance of coals?—No, we have not discovered any.

5635. Mr. *Baines.*] You said that Christianity should precede civilization. Is not the most effectual process, that civilization and the acquisition of the useful arts should be going on at the same time with Christianity, by which means they may assist each other?—Undoubtedly that is what I would advise. The idea I would convey is this: I would not advise an attempt to civilize a people, leaving Christianity out of the question. I think the attempt would fail; but I would advise that Christianity should be accompanied with a civilizing process. It is what we have united in all our attempts.

5636. And of course the useful arts, as far as they can be made applicable to that particular purpose?—Yes. Sir Thomas Brisbane, the late governor of New South Wales, was exceedingly kind; and Captain Lawes, Captain Waldegrave, and other commanders of His Majesty's ships of war, that have visited us, were equally so, by suggesting various things which might promote the welfare of the people. Sir Thomas Brisbane gave me a quantity of Virginia seed tobacco, which I encouraged the people to plant; and we got 150 acres planted. But the expected advantages were not realized, for the merchants at New South Wales took alarm, and petitioned his Excellency against receiving it into the colony; and he was compelled (I suppose) to put on a completely prohibitory duty of 4*s.* a pound. That acted as a very great drawback to the industry of the people; and it was what I did not expect, as his Excellency had kindly given me the seed, and desired me to encourage the people to cultivate it. But at New South Wales there were a number of merchants who were unconcerned about the progress of civilization among the islanders, and thinking it would injure their own trade with other places, petitioned the governor to lay on that heavy duty. This acted very prejudicially indeed.

5637. Do they cultivate corn at all?—We have tried to do so, but nothing of the corn kind will grow there; the climate is very hot.

5638. Or rice?—No, we have not succeeded in introducing rice. The natives have such an abundance of food that there is no absolute necessity for it; the bread-fruit yields them a great supply.

5639. You say that agents sent from this country, as well as intercourse with the crews of ships of war, tend to elevate the estimation in which they hold the European character, and to improve the character of the natives?—Yes, very much so, provided those agents are judiciously selected; persons who feel an interest in the welfare of the natives, and are favourable to their religious as well as civil improvement; but unhappily that has not been the case with the agents in that part of the world.

5640. Could not you combine the office of Christian instructor with the agency, and in that way unite the character somewhat of the missionary and the agent in the same person; and what do you think would be the effect of that combination?—I do not see any particular objection to it, provided there were no duties connected with it, such as carrying a sanguinary law into execution.

5641. Will you state what you meant by an agent, when you said that an agent sent from this country should be employed, so as to promote the benefit of the native inhabitants?—I think his commission must extend to taking cognizance of misdemeanors, and the conduct of persons coming there, and transmitting that evidence to his government; and in case of necessity he should be invested with authority to secure the person of an offender, and forward him to New South Wales or to England, just as circumstances might determine.

5642. Do you think it would be advisable for the government of this country to send out, in the capacity of agents, men of religious character, who had been

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accustomed to give religious instruction to the people?—I think it would be advantageous that they should be religious men. It does not require that they should have been actually engaged in giving religious instruction; it would not want a great many of them.

5643. Are the missionaries that are in those islands all from England, or some of them from America?—All from England, with the exception of those at the Sandwich Islands, and they are from America.

5644. Then there are none from any European country but from England?—No, except the Roman Catholics, who have come from France. Since I left they have taken possession of the largest islands in the Eastern Archipelago, called Gambier's Islands. I do not know much about them. The communication I had respecting them is short, but they have come there and got a footing there, but it is since I left. As they have sent out a bishop and three or four priests, that small group of islands cannot be their ultimate object; they just want to get a footing, and then to get possession of some of the more important groups.

5645. This has been since you left, and therefore you do not know the progress of their mission?—No.

5646. *Chairman.*] Have the natives of those islands any fixed code of laws?—Yes; in the island of Tahiti they have a representative government and trial by jury.

5647. That of course has been adopted in imitation of our practice?—Yes; they asked our advice in the formation of their laws. Their practices were very sanguinary when they were idolators.

5648. Then Christianity has had the effect of softening the rigour of their usages?—Entirely so; for instance, formerly in the island of Rarotonga, an island which I discovered, the king, when a thief was caught upon his premises, would have him cut up, and portions of the body hung in different parts of the farm on which the depredation had been committed. But when Christianity was embraced by them they saw immediately that such sanguinary proceedings were inconsistent with the benign spirit of the Gospel, and they inquired of us what would be done in England, and what was consistent with the Christian profession. We informed them that there were judges in England, and all such offences were tried regularly, and particular punishments awarded. They immediately said, "Will it not be well for us to have the same?" and after months and months consultation with them, and explaining those things to them, a very simple code was drawn up.

5649. Are the powers of the sovereign circumscribed under this representative system?—Not particularly so. Formerly the will of the chief was law; life and death was entirely vested in his hand; he could send his messengers out and kill a person upon any occasion, which he cannot do now. So far it is circumscribed; but it is operating very beneficially upon the people.

5650. When you speak of a representative government, do you mean that delegates come from different districts of the island, and form themselves into an assembly?—Yes.

5651. Have their proceedings any authoritative weight with the executive government?—Yes; this may be illustrated by a circumstance which has taken place since I left. The representatives met, and the first thing they did was to send a message to the queen to know upon what principles they were to proceed; she sent back a copy of the New Testament, saying "Let the principles of this book be the foundation of all your proceedings;" and they, perceiving the beneficial effects of the temperance societies in all the districts where they had been introduced, immediately proceeded to enact a law that they would not trade with ships that came there for the purpose of introducing ardent spirits among them.

5652. Mr. *Baines.*] By whom are the representatives elected?—It is done in the different districts; it does not create any stir among the people; the chiefs of the respective districts meet among themselves, and say we will send so and so this time. I am speaking now of the Tahitian islands; the islands are in a varied state of progression; some just emerging from barbarism.

5653. *Chairman.*] Then the Committee are to understand that Tahiti is most advanced in civilization, and in the profession of Christianity?—Yes.

5654. And your past observations relate exclusively to Tahiti?—Yes; the Society Islands are following very closely in every respect; but Tahiti is the head-quarters.

5655. Have the Society Islands representatives?—No; they have not, they have a regular code of laws and trial by jury.

5656. Is there anything like a fixed system of taxation?—There is in the island of

of Tahiti, and in one or two of the Society Islands, a regular system of taxation; it consists in cocoa-nut oil and pigs, and the produce of the islands. Rev. *John Williams.* 29 July 1836.

5657. Mr. *Baines.*] Do the native inhabitants work well at mechanical trades when they are introduced; are they apt?—Very apt indeed; I made rope-machines for them, and taught them rope-making from the hibiscus bark, and taught them turning. I made turning lathes for them; in the different islands they have very good chairs and sofas and things now of their own manufacture, in learning all which they showed great aptness.

5658. Are they industrious?—Perhaps not what we should consider industrious; they will not work, as the inhabitants of this country do, from Monday morning till Saturday night; but still they have a good deal to do. There is not that division of labour there as in England. A person with a family will have his own house to build, his own net to make, his own fish to catch; so that there is a constant demand upon his labour and his time, though it does not require that incessant and unremitting application that ours does.

5659. His pursuits are more miscellaneous?—Just so.

5660. Do you know what number of missionaries there are in that part of the world of which you have spoken, where missionaries have been introduced?—I do not exactly know the number of the Americans at the Sandwich Islands; but I should suppose there are about twenty at the Sandwich Islands, and twenty belonging to the London Missionary Society, and perhaps eight belonging to the Wesleyan Missionary Society at the Friendly Islands, making nearly fifty in all.

5661. Do not you think that the labourers are too few?—Certainly; and we are using native agency as much as we can. From my own congregation I have sent out 10 or 12 native missionaries, and we superintend their operations and visit them periodically.

5662. Are you able to make the native missionaries available to pretty much the same extent as you would be able to make persons sent out in a missionary character from this country?—No; they are admirable as pioneers to prepare the way for the more efficient labours of the European missionary; and some of our best instructed natives make very good missionaries for small stations; but then we have constantly to superintend their operations, and to translate the Scriptures and prepare books for them; and of course we have much to explain to the native missionaries before they can impart instruction to the people.

5663. But when the native missionaries have received instruction from you, and when you think them qualified to give instruction to others, are they not found useful to a great degree?—Exceedingly so; we should not have been able to have extended our labours to the number of islands that we have, had it not been for the labours of the native missionaries. In the island of Rarotonga, which I discovered, I found them all heathens; I placed native missionaries among them, and by the native missionaries alone they were all converted to the profession of Christianity; so that on my second visit to that very place I found not an idolator remaining. That has been the case in eight different islands to which I have taken native missionaries. The inhabitants of eight islands were entirely converted to Christianity by the agency of native missionaries.

5664. This then is a means that is unlimited; you have materials there to increase the native missionaries to any extent almost?—Yes; perhaps that is saying rather too much, for we are very particular in the persons we select; and they are not so numerous as we could wish. Still we have about 60 or 70, and that number is increasing; because whenever the Gospel is attended with its beneficial effects, there is a new agency created there for its still further propagation.

5665. Do you suppose that native missionaries might not be more extensively employed than they are at present?—Yes, we intend to employ more as soon as we can; but our labours have been extended as far as our means would allow. The original station was only one island, that of Tahiti; and the knowledge of Christianity was conveyed to the islands where the American missionaries are, first, by means of native converts from the island of Tahiti, and so with respect to the islands where the Wesleyan missionaries are. Christianity was first conveyed to them by native missionaries from other islands. I think, without including the Friendly Islands, or the American missionary stations, we must have 40 or 50 islands under our own instruction at the present time, by native agency, superintended by ourselves, except in our own immediate stations.

5666. Do the native missionaries support themselves by their own industry, or do they receive supplies of food, or any kind of remuneration, from the missionary establishment?

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establishment?—They are supported entirely by voluntary contributions of the inhabitants among whom they are living; the natives put up a house for them, bring them food, and then we, in our periodical visits, make them little presents, which we receive from England, of jackets and shirts, or a gown for the wife, or a ribbon for her bonnet. So that the native missionaries do not cost our society upon the average above 2*l.* or 3*l.* a year each.

5667. Do they instruct the inhabitants in the arts of civilization as well as in Christianity?—Yes, on all occasions. I have not sent out a single native missionary from my station that I had not taught myself the art of turning and rope-making, and soap-boiling and salt-making from the salt water, sugar making, and various other things that are applicable to their wants, such as carpentering and chair-making. We put them under a course of instruction in the useful arts before we send them away; the art of making lime also from the coral rock, and erecting superior houses to those which they were in the habit of making before Christianity was introduced among them.

5668. Is not the consequence of this instruction very much to increase the comforts, as well as to elevate the character, of the people amongst whom they labour?—Undoubtedly; instead of their little contemptible huts along the sea-beach, there will be a neat settlement, with a large chapel in the centre, capable of containing 1,000 or 2,000 people; a school-house on the one side, and the chief's or the missionary's house on the other, and a range of white cottages, a mile or two miles long, peeping at you as it were under the splendid banana trees, or the bread-fruit groves, so that their comfort as well as their happiness is increased, and altogether their character is elevated.

5669. *Chairman.*] The number of missionaries being confessedly inadequate, it appears desirable to train up natives with a view of maintaining the progress of education. Have you in pursuance of that object introduced the infant school system in the islands under your influence?—We did not know much about it till I came to England, but we intend to introduce it immediately I go back. There is no regular communication with England, and therefore it is sometimes two years and a half or three years before we can get an answer to our communications. Immediately we heard of the infant school system, we sent home to England for information upon the subject, and apparatus; but we had not received answers before I came to England.

5670. Have you considered the system since your return?—Yes.

5671. Do not you think that the extension of that system would greatly improve the minds of the natives, and give strength to their moral and religious character?—Yes, decidedly. I think very highly indeed of it. I think it is exceedingly well adapted, not only to the infants, but to the adults also.

5672. Do not you think it would be the best means of training up a native agency in those schools?—I think it would facilitate the object very much indeed.

5673. Supposing infant schools to have been established, and that you had passed the period of mere childhood, how would you then proceed with the natives of the age of 12 or 13; would you leave them to themselves, or would you continue to superintend their education?—We continue to superintend their education as long as they will come; we have an adult school there as well as children's schools. When we first go among a people, they have no written language; we have to form an alphabet, and prepare books, and then we have to teach adults as well as children; and in all our missionary stations there is an adult school; we meet the people at six in the morning, and spend two hours with the adults. Many hundreds of them, after they were 60 years of age and more, who never saw a letter before, have learned to read exceedingly well.

5674. Do you press upon the minds of those young persons, the necessity of conversion to God, and continue to make them a part of your charge, and endeavour to bring them under the influence of religious principle?—Yes, as long as we can; but there is considerable difficulty with many of the young people, for when they get 14 or 15 years of age, there being no parental discipline there as there is in England, we have not that hold upon them which is desirable, when they get to that age. If they are inclined to be refractory, we have no means of preventing it; but we use every moral means in our power to keep them under our influence.

5675. What age do you find the most docile, a young person of 12 to 16 years of age, or an adult?—We find, generally speaking, from 15 to 20 years of age the most untractable and the most unmanageable; we can manage the adults far better. There is a peculiar system prevailing in the Tahitian and Society Islands, which

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is prejudicial to that class of society. There is constant intercourse between the islands, and there is no expense incurred in going about: a person seeing a canoe or a boat about to sail to another island, has nothing to do but to step on board, and to whatever island he goes, he can enter any person's house; can eat or sleep there as long as he pleases; can go to the mountains, and get what he wants; neither is there any restraint, and therefore the young people occasion us a great deal of trouble about the age of from 15 to 20.

5676. Have you heard that the Hottentots, by temperance societies, have been induced to abandon the use of ardent spirits, and to resist the temptation to return to habits of intemperance?—No; I have not heard of that.

5677. Do any further facts occur to you connected with the present inquiry?—I think the islands are assuming a very great importance, in connexion with our nation generally. For instance, at the Island of Tahiti and the Society Islands, there is now from 60 to 100 sail of shipping touch in the course of the year; they get provisions at very little expense; they can refit their vessels, and they can recruit their crews. This of course is of great importance to a commercial people such as we are; and I think also there is a great advantage accruing to our country, by means of missionary labours, in a commercial point of view. A few years ago they knew nothing of European manufactures, and now there are hundreds and thousands of them wearing European clothing, and using European articles, such as tools, and various other things. Wherever Christianity is introduced, of course European clothing and European habits are induced. There is not a single person in any of our congregations but is dressed very respectably; they are not thoroughly clad as we are, but some of them wear a jacket and a shirt, and a native garment as a substitute for trowsers.

5678. Is there any British consul, or any other official agent, to regulate the trade and intercourse between this large number of shipping and the natives?—There is a person at the Sandwich Islands who interferes, I believe, between the natives and the Europeans, but I do not know the extent of his jurisdiction.

5679. What is the distance?—Three thousand miles.

5680. The presence of that person at the Sandwich Islands can of course have very little effect upon Tahiti?—Not the slightest.

5681. Would you recommend that there should be a special agent appointed at Tahiti?—Undoubtedly, if you would send a person who would be friendly with us, and not oppose the welfare of the people.

5682. What do you mean by being friendly; do you mean a person disposed to co-operate with you in the work of converting the natives, and in maintaining practices of regularity?—Yes; a person that would be gentlemanly in his conduct and in his habits, and would be friendly to us. Of course, we should prefer a decidedly religious man.

5683. You apprehend that the introduction of such an authority, unless he be a person of decidedly religious habits, would be more prejudicial than otherwise to your views?—Decidedly so.

5684. In fact, the natives would expect from an European in authority, a superior example?—Yes; that is what they would expect.

5685. And unless a person were to be selected with proper qualifications, you think the effect would be to depreciate the national character in the eyes of the natives, and to cause a retrogression in their habits of improvement?—Quite so.

5686. Mr. *Baines.*] Can you describe what is the effect upon a man or woman, who has never been accustomed to read, when they were first introduced to the knowledge of that art?—Yes; I will mention a little circumstance which will illustrate it. I was superintending the putting up of a very large chapel, upon one occasion, at the island of Rarotonga; and I had come to work without an article that I wanted, I think it was a square, and I took up a piece of chip that had been cut off the posts, and with a piece of charcoal I wrote a note requesting Mrs. Williams to send me the square. I called a man to me, and told him to take it to my house, and give it to Mrs. Williams. He looked at it, and he said, "She will call me a fool." I said, "No, she will not." He asked me what he was to say; I told him he had nothing to do, but to give her that piece of chip. He said, "What, give her this piece of chip! It cannot say anything." I said, "Do not stay talking; the people are in haste, and I am waiting for it:" upon which he went away, and gave the chip to Mrs. Williams, with rather a tremulous hand, and followed her into the house, determined to see the result of this mysterious proceeding. She gave him the square, and as soon as he received it from her, he said, "Stay,

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daughter (they always call a female "daughter"), how do you know that this is what Mr. Williams wants?" She said, "Did not you bring me a piece of chip just now?" "Yes," the man said, "but I did not hear it say anything." She said, "No, but I did, and that is what Mr. Williams wants; he is waiting for it." The man came running to me through the settlement with the chip in one hand and the square in the other, shouting as he came, "See the wisdom of these English people; they can make chips talk." He brought it to me, and asked me how it was possible that I could converse with people at a distance by means of that piece of wood. I explained it as well as circumstances would permit, but it was involved in so much mystery that he tied a string to that piece of wood, and tied it round his neck, and he wore it for three weeks; and you might see people listening round him while he told them the wonders that that piece of wood had performed. That was the effect in the island of Rarotonga.

5687. You have said that commerce may be very much extended by means of the instruction that you are giving to those people, and the habits that are consequently induced. Up to a certain period those islands, as to British commerce, were a complete blank; but now they are made to contribute to our wants, and to take off our manufactures to a considerable extent?—They are.

5688. Then you suppose that this effect may, by following the same system, be increased to an almost indefinite extent?—Not altogether by following the same system; we want a new system. I have had some conversation with my friend Mr. Ellis upon the subject; and I intend to bring it before some gentleman who is competent to take it up before I leave. I suppose there were 100 tons of sugar made in the island of Tahiti last year; we have taught them that art. I have made, as I before stated, several sugar mills for the people; several of my brother missionaries have done the same. Whenever we send native missionaries we instruct them in all we ourselves know. I suppose the market we shall find will be New South Wales and the north-west coast of America, and the Sandwich Islands. Cocoa-nut oil also we have taught them to make; I rather think there is a considerable duty upon that article. And arrow-root we have taught them to prepare, which they now do in great quantities; but there is rather a heavy duty upon that when imported into England; it is a trifle from British colonies, but 2 *d.* a pound on all that is introduced from the islands. Now, if some liberal policy were adopted towards that infant people for a few years, it would assist them materially. The affair of the tobacco, to which I alluded, acted as a dead weight upon our exertions. It operated so unfavourably that our subsequent propositions to the people were received with suspicion; they were afraid of a recurrence of the tobacco speculation. I would not say anything which would detract from the kindness of Sir Thomas Brisbane, because he was truly desirous of advancing the interests of the islanders; and I have no doubt he was placed in circumstances that required the adoption of the plan that he did adopt; but I am speaking of the effect upon the people. Our object is to increase the resources of the people; for unless their resources are enlarged, of course civilization must stop at a particular period.

5689. *Chairman.*] Have you materials in your possession to furnish suggestions as to the improvement of the commercial intercourse between the South Sea Islands and England and the British colonies?—Yes.

5690. Would you be willing, if called upon, to furnish such a statement?—I should feel much pleasure in so doing, because I consider that the progress of Christianity among the people, that is, the moral habits of the people, will be materially affected by the introduction of civilized habits; it will not do to Christianize the people and to leave them in a state of barbarism.

5691. You think it, of course, a duty incumbent upon us, having instructed them in the arts of civilization and commerce, to open sources by which they may derive benefit from such improvement?—Yes; it appears to me very desirable so to do.

5692. Have you ever visited New Zealand?—Yes.

5693. Were you acquainted with Mr. Yate there?—No, he has come there since I visited it; it was some years ago that I visited New Zealand.

5694. Mr. Yate has been examined before this Committee, and therefore you cannot supply anything in addition to what he has already furnished?—No, I cannot.

5695. Have you visited New South Wales?—Yes.

5696. How

5696. How long ago was that?—I have not visited it since Sir Thomas Brisbane was there. Rev. *John Williams* 29 July 1836.

5697. Did the state of the aborigines excite your observation at all?—Very much so.

5698. What opinion did you form of their state and habits, and also of their treatment by the Europeans?—I thought the New Hollanders were the most degraded of any aborigines that I had met with in any part of my travels.

5699. At that time had the missionaries taken those unfortunate beings at all under their care?—No, not at all. Governor Macquarrie and Mr. Marsden had established a school at Paramatta for the education of the children; but I think that, as soon as they grew up to 12 or 14 years of age, they ran away into the bushes; I do not recollect that one had been reclaimed.

5700. Have you heard that the ecclesiastical authorities there have ever adopted any systematic measures for the improvement of the natives and their conversion to Christianity?—I think Mr. Marsden was very active in the measures that he adopted; it was at his suggestion, I think, that Governor Macquarrie adopted the measures that he did.

5701. Did you observe the treatment which the aborigines experienced from the Europeans?—No; they were generally treated with kindness by the inhabitants, but the lower orders at times treated them unkindly. But they appeared to be so totally degraded that if the kindness of the inhabitants supplied them with clothing, they would go and sell it immediately for gin or rum, and appear in a state of nudity about the streets.

5702. They were so extremely obtuse in their feelings that they could not appreciate kindness or overtures to civilization?—Not at all, when I was there.

5703. And consequently that must have had its effect upon the endeavours of the Europeans, and they were probably left in this hopeless state?—Yes; but measures have been taken since; and my former colleague and brother missionary, Mr. Threlkeld, is now very actively employed among them. He has obtained a knowledge of their language, and has translated the Gospel of Luke into their language, and taught some of them to read.

5704. Have you visited Van Diemen's Land?—Yes.

5705. When was that?—It was before I visited New South Wales.

5706. Then the natives had not been finally removed from the main island when you were there?—No, that was subsequent to my visit.

5707. Mr. *Baines.*] You say that Mr. Marsden had exerted himself much, but the result of those exertions was not very apparent afterwards?—No; the result was what I stated, that I do not know a case of any one single lad educated in the school for the aborigines, where it had been attended with very beneficial results; as soon as they came to 12 or 14 years of age they ran out again to the woods.

5708. But in the missionary stations in the islands there are certain correctives, though not to the extent that might be wished, to prevent that degeneracy to their early habits?—Yes, the constant presence of the missionaries; and the natives of the islands generally do not appear to be so desperately degraded as the New Hollanders are. The New Hollanders have no permanent residence, but in the South Sea Islands they are divided into settlements; they have their chiefs and a kind of organized government among them; and we do not take them away from their own residence, but we go and settle among them; and they are still living upon their own lands.

5709. Do you think the failure of civilization which has occurred in New South Wales is owing to any radical incapacity on the part of the people for retaining instruction, or that it is owing to the deficient means used for the purpose of giving and following up that instruction?—I should think that natives in every part of the world are capable of receiving instruction; there is no deficiency of intellect on their part. I have never found it in any parts that I visited. The means used were not perhaps well adapted, and not followed up with sufficient energy.

5710. But if they had been followed up, you have no doubt that civilization and evangelization would both have been progressive and continued, instead of their returning to their original state?—Some would return, of course; but, making allowances, I think that success might have been reasonably expected; for I do not apprehend there is any radical deficiency on the part of the natives. Indeed, in connexion with one of the missionaries, I heard a most interesting circumstance related: One of the natives died very happily; but I forget the exact circumstances of the case; one of the missionaries mentioned it to me, and informed me that the

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lad died, saying, "Oh death, where is thy sting? Oh grave, where is thy victory?" &c. &c.

5710*. It is said that certain soils, if you cultivate them, are sure to degenerate, and go back again to their original bad and unproductive state; do you think there is anything in the native inhabitants of New South Wales, or in the aborigines generally, which causes that they cannot be kept in a state of cultivation, if the proper means be used to effect that end?—If the means are well adapted, and prosecuted with proper persevering effort, I think success may be generally anticipated.

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*Lunæ, 1° die Augusti*, 1836.

MEMBERS PRESENT.

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| Mr. Fowell Buxton. | Mr. Bagshaw. |
| Mr. Charles Lushington. | Mr. Hindley. |
| Sir Rufane Donkin. | Mr. Wilson. |
| Mr. Baines. | |

MR. FOWELL BUXTON, IN THE CHAIR.

THE following Resolution was moved and seconded; and the question being put, the same was agreed to unanimously:

"The Committee, having taken into consideration the Report of the Commission sent out to the Cape of Good Hope, adduced by Dr. Philip in justification of himself and the missionary Read, are of opinion that it is so satisfactory on that point as to render it unnecessary for the Committee to proceed further in that matter."

The Rev. *John Philip*, D.D., called in; and further Examined.

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5711. *Chairman.*] THE Committee wish to have some information from you upon the subject of the encroachments made upon the native territory for a considerable number of years; are you aware that in various proclamations dated in 1739, 1770 and 1774, and the 17th of July 1788, the Gamtoos River was the recognised boundary between the colony and Caffreland, beyond which no colonist might pass or settle without subjecting himself to most severe punishment?—I have understood that to have been the case.

5712. Did Earl Macartney, in the year 1798, think it proper to fix a new boundary, and to promulgate a law, the preamble of which is as follows: "Whereas hitherto no exact limits have been marked out respecting the proper boundaries between this colony, the Caffres and the Bosjesmen; and in consequence of such limits not being regularly ascertained, several of the inhabitants in the more distant parts of this settlement have united in injuring the peaceful possessors of those countries, and, under pretence of bartering cattle with them, reduce the wretched natives to misery and want, which at length compels them to the cruel necessity of having recourse to robbery and various other irregularities in order to support life?"—I have seen the proclamation in question.

5713. Does it go on to say, "I do therefore proceed to declare the Great Fish River to be the proper boundary between this colony and the Caffres?"—Yes.

5714. Can you state what, since 1798, have been successively fixed as the boundaries of the colony?—The country, between the Sunday River and the Fish River has since then been added to the colony which is now called Albany.

5715. Mr. *Bagshaw.*] Is not the Fish River to the east of Albany?—Yes, and Sunday River is to the west.

5716. *Chairman.*] In 1811 was another encroachment made upon the territory of the natives?—It was in 1811 that the Caffres were expelled from what is called the Zuurveldt, which is now called Albany, a district lying between the Sunday River and the Great Fish River.

5717. In 1819 was any further encroachment made upon their territory?—In 1819 they were expelled, at least forced to retire from the district of country lying between the Great Fish River and the Keiskamma.

5718. Wh at

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5718. What was the next encroachment made upon the territory of the natives?—The next encroachment was that in which the people were expelled from the Kat River settlement in 1829.

5719. What was the next encroachment to that?—The next expulsion, I think, was from the Gaga, from the western bank of the Chumie River.

5720. What year was that in?—It was in 1833.

5721. Was the next expulsion of the natives that contained in the Government proclamation upon the late war with the Caffres?—The next expulsion of the Caffres was from the Chumie and the Keiskamma.

5722. Where does that extend to?—It extended from the Chumie and Keiskamma to the River Kye.

5723. Then the stages have been the Gamtoos River, the boundary in 1798; the Sunday River, the boundary in what year?—The Sunday River was the boundary in 1811, that is, they were expelled from between the Sunday River and the Great Fish River in 1811 and 1812.

5724. Then in 1819 between the Fish River and the Keiskamma?—Yes.

5725. In 1829?—In 1829 from the Kat River.

5726. In 1833 what were they expelled from?—It is a small part of the country on the western bank of the Chumie, the elevation including the drainage of the Chumie River.

5727. Can you fix any boundaries for it?—No, I cannot at present.

5728. At the western bank of the Chumie, was it extending towards the Kat River?—The waters on the eastern side of the Gaga fall into the Chumie, and those on the western side of that ridge, meaning the Gaga, fall into the Kat River before it joins the Great Fish River.

5729. What was the encroachment made in 1835?—From the Keiskamma to the Kye River.

5730. How many miles do you consider it to be from the Gamtoos River to the Great Kye River?—I think it is considered that the length of the road (but that is not as the crow flies) to Uitenhage from the Gamtoos River is about 50 miles, and from Uitenhage to Graham's Town about 70 miles; from Graham's Town to the Keiskamma 50 miles, and the distance from the Keiskamma to the Kye is, I believe, estimated at 100 miles, amounting in all to about 270 miles.

5731. Have you considered what measures ought to be adopted with respect to the native inhabitants and the neighbouring tribes, in order to secure to them the due observance and protection of their rights, and to promote the spread of civilization among them, and to lead them to the peaceful and voluntary reception of the Christian religion?—I have made statements to that effect in several of the papers I have given in.

5732. Mr. *Bagshaw*.] Will this suit your views, which appears to have been the opinion of Mr. Pringle. He says, "Let the Caffres see clearly that we are resolved henceforth neither to do nor to endure wrong, and I do venture to predict that we shall have all, excepting a few rogues on both sides of the boundary, be sedulously devoted to the support of an equitable system?"—I quite agree with Mr. Pringle upon that subject.

5733. What would you recommend for the protection of the colonists from the aggressions of the Caffres?—I think a system of international law introduced on the frontiers of the country, would prove the most efficient and best protection that the colonists could have; the system containing for its basis the principles of justice.

5734. Is there any definite system that you can recommend?—I had recommended that civil agents should be appointed before the late war. It will of course require a different system if we mean to keep Caffreland; but supposing Caffreland to be given back to the people, part of the system I have recommended might be adopted, that is, of excluding the military entirely from having anything to do with matters of that kind, except when called in by the principal civil agent, the reasons being stated for the same.

5735. But this international law that you have spoken of; how would you put it in force?—I think the Caffres are quite capable of understanding a system of international law, and of appreciating it.

5736. Are you aware that an Act of Parliament is just now passing the Houses of Parliament, putting Europeans who shall travel beyond the boundaries

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of the Cape of Good Hope under the British law, the same as if they were in the colony?—Yes, I have seen notice of a Bill to that effect.

5737. *Chairman.*] Have you any further suggestions to offer to the Committee?—None that I have not already offered.

5738. Have you any information to give to the Committee relative to the benefit derived to the natives from missionary labours?—If the Committee are desirous of information upon that subject, I think I can furnish information upon it. I hold in my hand a paper upon the subject, with regard to the beneficial effect of missions and the plans that have been adopted in part, and are recommended for their improvement, which I will deliver in.

[*The same was delivered in and read.*]

5739. Have you any additional information to give to the Committee?—The only thing that occurs to me is the encroachments upon the northern frontier. The Crown Commissioners have stated that it has been to the extent of upwards of 40,000 square miles.

5740. Is that independent of the former encroachments, of which you have already spoken?—Yes; entirely independent.

5741. What is the quality of the land upon the northern frontier?—A great deal of it desert; it was the country of the Bushmen.

5742. What is the quality of the land between the Keiskamma and the Kye River?—It is very fine land between the Keiskamma and the Kye; and it appears to me to be better land than any other part of the colony I have seen.

5743. Mr. *Bagshaw.*] In Captain Beresford's examination, he speaks of an interview which you appear to have had with the Caffres; what were the precise nature and terms of the communication made by you to the Caffres in 1834, at the instance of Sir Benjamin D'Urban?—That I stated in my former evidence.

5744. What was the nature of the proposal which you were authorized by Sir Benjamin D'Urban to make at that interview?—I had furnished Sir Benjamin D'Urban with several documents; and when I understood he was going to the frontier, one day, in conversation with him upon the subject, I stated to him that I had no objection to get additional information for him if he wished it, a thing I could easily do upon the spot, as I used to make an excursion into the country once in two years, and that this being the second year since I was in the country, I could suit my time to his, and the proposal was accepted. Previous to that, when Sir Benjamin D'Urban arrived, he asked me to give him my sentiments on the affairs of the Caffres, and on the 13th of March 1834, I gave him a document on the subject; and he professed to me, after he received that document, to be perfectly satisfied with it, and he said he would carry the plan I had proposed to him into effect.

5745. Did Sir Benjamin D'Urban, on his arrival at the frontier, change his opinions regarding the Caffres from those opinions that he expressed to you at the interview you have just mentioned?—I think from what followed that he must have changed his opinions.

5746. Do you know Captain Alexander?—Yes.

5747. Did not he go to the eastern part of the colony, having had at the Cape of Good Hope the same kind of impressions regarding the frontier inhabitants that Sir Benjamin D'Urban had; and did not he change his opinions also upon his arrival at Caffreland?—It is possible that he may; but I have no authority to say that either Sir Benjamin D'Urban or Captain Alexander did change their opinions, but I judge that they must have done it, from what took place afterwards.

5748. You have spoken of the expulsion of the Caffres from the territory between the Fish River and the Keiskamma; are you aware that a treaty was made, by which it was agreed that it should be neutral territory, and that they were allowed to graze their cattle there merely upon sufferance?—The treaty is not generally acknowledged. General Bourke called it a parol treaty, and said it would have been desirable that they had taken better grounds than they had.

5749. The Committee have had it stated in evidence, and have had parties before them who were present when the treaty was made; the question refers to the treaty made by Sir Rufane Donkin?—It has been utterly denied that any treaty of the kind ever took place. I recollect perfectly well when Sir Rufane Donkin

Rufane Donkin returned from the frontier, he mentioned to me that he had made a treaty with the Caffres; but at the moment he mentioned that I had had a letter from Brownley, a missionary, in which he stated that Gaika did not understand that there was any treaty of that kind, and that he had it from Gaika himself; and Gaika declared to his dying day to the missionaries that he never entered into any treaty.

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5750. Did not Sir Benjamin D'Urban act under some misconception of what took place between you and the Caffres?—I cannot be responsible, of course, for the impressions of Sir Benjamin D'Urban.

5751. Do not you think that Sir Benjamin D'Urban, in consequence of what took place between you and the Caffres at that interview, acted under a misconception?—There was a circumstance occurred. Captain Alexander wrote me a letter after the 10th of May, saying, "You know that you were the negociator of Sir Benjamin D'Urban with the Caffres, and that they deceived you, and made an irruption into the colony." I immediately, of course, considered it my duty, as it came in that shape to me, to write again to Captain Alexander, in which I told him that if the governor was under the impression, it was a wrong impression; that nothing could be more erroneous than the impression he had reported to me as the impression of the governor, for I never appeared in Caffreland as the accredited agent of Sir Benjamin D'Urban. I never said to the Caffres that I had any instructions from Sir Benjamin D'Urban. I never on any occasion dropped any hint as if I had come from the governor, or that I had had any personal intercourse with the governor; and therefore I stated that I hoped if a mistake of this kind had been committed, that the governor, in treating with Macomo and the Caffres, would give them the advantage of that mistake; that if I was the negociator they had not broke into the colony in the midst of any negociation.

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[*The Chairman put in the following Documents, as bearing upon the subject.*]

Van Diemen's Land, Government House,
18 September 1834.

My Dear Sir,

I HAVE had the pleasure to receive your note of the 28th February last, which was presented to me by Mr. Joseph Ball, and I beg to assure you that I shall have much satisfaction in showing him every attention in my power.

Mr. Ball appears to be a very desirable settler; and while his own ends will, I trust, be answered by his emigration, the community amongst whom he has cast his fortunes will also be benefited by his arrival. I shall be most happy to be of service to him.

I am very glad to find that you have taken up the cause of the aborigines of those countries to which the exuberant population of England is now transferring itself; and I do not hesitate to declare it as my opinion, that the very first consideration on the occupation of every new territory, should be the best mode of protecting the natives from violence and injury; for when once in the beginning, anything like a heartless, or cruel, or overbearing disposition has been developed on the part of the white stranger, mutual distrust and enmity, which years of conciliation and kindness will not efface, are the inevitable consequences, alike distressing to a humane spirit, and fraught with the most painful results to both parties. The whole of the aboriginal inhabitants of Van Diemen's Land (excepting four persons) are now domiciliated with their own consent on Flinders' Island, where every care is taken of them, and every means adopted for their civilization. Great exertions have been made to conciliate these natives, and to remove them from the main land; which humane and desirable objects, under the able management of an individual who volunteered his services, have been happily attained without violence of any kind: they appear to be very happy in their new abode, and are exceedingly tractable and docile. There is a catechist specially appointed for their instruction.

The experience I have gained I am very anxious to apply to the civilization of the aborigines in the country on the opposite coast of New Holland, about to be occupied by a company from England; and indeed, I long since offered my services accordingly to His Majesty's Government. My intention is, should my tender be accepted, to visit the settlement personally, and to station there a small military party, under an officer in whom I could depend, as a protector to the natives. It has hitherto been found most difficult to do anything in the way of instruction with adult savages; the utmost efforts, however, should be made to instruct them; and it should invariably be a peremptory injunction, that schools for the young native children should be opened; a step the most important of all in facilitating the extension of education, and which never should be lost sight of for a single year. And I may observe, that in the Male Orphan Establishment near Hobart, where about 160 boys are educated, of whom nine are aborigines, the latter appear to be as quick of apprehension and to possess as retentive memories as their white companions; clearly evincing that the stolidity of the adult is the result of the circumstances in which he and his fathers have been placed, rather than of any inherent natural infirmity of constitution, or original dulness

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of perception. Yet the aboriginal inhabitants of Van Diemen's Land have been represented as necessarily occupying the lowest place in the human family: the more we inquire, the less difficulty have we in reconciling the present condition of these poor creatures with the fact, that all the nations who dwell upon the face of the whole earth are sprung from the same source, and are capable of the same attainments.

It would be very gratifying to me could you be prevailed upon to take in hand the state of crime in England, the temptations to crime, and the disposal of criminals.

It is pitiful to observe that the general mass of convicts sent to this colony, consists of offenders in the grossest ignorance. Every effort should be made in England to extend education, and to afford employment to the poor; and were such a system introduced for effecting these objects, hopes might reasonably be entertained of a decrease in the commission of crime, and of the number of convicts sent out to these colonies being considerably diminished.

Transportation seems admirably adapted to the end for which it is intended, and as a means of punishment is far better than penitentiary discipline, and infinitely less expensive; as few criminals, not one in 100, ever return to the country from which they had been banished: but most certainly more, considerably more, should be done in England to save the lower classes from the ignominious state of slavery, to which, as transported felons, they are reduced.

There are now here two very interesting travellers belonging to the Society of Friends, who have in the course of the last two years been making the most minute inquiry into the condition and state of the convict population; and I trust their statements will tend to remove the delusion which exists in England upon the question of transportation.

I beg you will believe me to remain, my dear Sir,

Yours, &c.

Thomas Fowell Buxton, Esq., M.P. *George Arthur.*

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Hobart Town, 22d of 10th Month, 1834.

To Thomas Fowell Buxton.

HAVING learned from the Lieutenant-governor, with much satisfaction, that thou art interesting thyself on behalf of the aborigines of countries where British subjects may locate themselves, or have already settled; and having been requested by the same excellent individual to write to thee on this subject, I venture to cast before thee a few suggestions and remarks on this deeply interesting matter, and on some other points to which the attention of George W. Walker and myself has been attracted during our long sojourn in this colony.

The system of colonization that has been pursued by the British Government has been upon principles that cannot be too strongly reprobated, and which want radical reformation. Aborigines have had wholesale robbery of territory committed upon them by the Government, and settlers have become the receivers of this stolen property, and have borne the curse of it in the wrath of the aborigines, who, sooner or later, have become exasperated at being driven off their rightful possessions.

Though the mode of holding property differed among the aborigines of Van Diemen's Land from that used among English people, yet they had their property: each tribe was limited to its own hunting-ground; and into such hunting-grounds the island was divided; and it is said, the tenure on which the aborigines of New Holland hold their country is somewhat more specific than that formerly used by the now almost extinct race of aborigines of Van Diemen's Land.

A large portion of the land of this colony, and I suppose also of New South Wales, is not worth to settlers more than the expense of clearing; and the late land regulations, by which the free granting of land has been suspended, have induced many individuals from Van Diemen's Land and New South Wales, to emigrate to Twofold Bay and Portland Bay, on the east and south coasts of New Holland, and to New Zealand; where they have purchased land of the aborigines, and located themselves. This is, beyond a doubt, much better than becoming participants in the government usurpations of territory; but there is great reason to fear that the rights of the poor aborigines are not properly attended to in some of these cases, and something needs to be done to protect them.

Perhaps it might be for the best, if, in eligible situations, the British Government would become the original purchasers, (I do not mean by compelling sale, for this would be next to robbery,) and would arrange for the preservation of the rights of the parties making the sale, and take steps to promote their settlement and civilization, and would encourage missionaries to labour amongst them; and would also, on as reasonable terms as possible, dispose of the territories so purchased to settlers, maintaining likewise proper civil government at such places.

I think the jurisdiction of English law over British subjects ought not to be limited to territory; but that every British subject committing a breach of British law in a country in which no regularly organized government exists, to which he can be amenable, ought to be liable to be prosecuted in the next, or most conveniently situated British court of law. Thus, British subjects locating themselves in such parts of New Holland as I have mentioned, or in New Zealand, ought to be liable to prosecution in the courts of New South Wales, or of Van Diemen's Land, &c.; and persons visiting these places, or the islands of the Pacific, &c., ought to be liable to prosecutions in England, or in her colonies, for misconduct in such countries, or islands, &c. Though such prosecutions might seldom take place, a liability to them would have a good effect.

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I do not doubt but considerable benefit would also arise if in our colonies and other places within the reach of British laws, juries, under coroners or magistrates, were required to sit on the bodies of aborigines, wherever there might be any reason to suppose that British subjects had been in any way accessory to their deaths. If this had been done in former days in this island, it would have saved many a poor Tasmanian aborigine from wanton murder by a reckless son of Britain. The concealment of killing an aborigine ought also to be punishable, as involving suspicion of murder.

For further remarks connected with the state of the few remaining aborigines of this colony, I must refer thee to my journal, and to the reports of George W. Walker and myself, made from time to time to the Lieutenant-governor; of which copies have been sent to the meeting for sufferings.

I would here remark, that laws made in England respecting these colonies are often very inapplicable to them; and I would suggest, that if after the first or second reading, and printing of Bills for Acts to affect these distant lands, they were circulated in the colonies, and not passed into laws till the next session of Parliament, by which time the comments of the colonists would be before the public, great advantage would be likely to accrue.

There is reason to believe many acts of great cruelty to the aborigines of this colony, in former days, were committed by white persons when under the excitement of ardent spirits; and there is great need for the use of spirits to be restrained in all quarters where the blacks and whites come into contact, as indeed in all other places. The payment of wages in spirits, which is allowed in some of our colonies, though not in this, (except where a person has a spirit licence,) ought to be prohibited, for it is sure to lead to disorder. I remember, when at the Cape of Good Hope, hearing of a magistrate paying wages in spirits to his Hottentot servants!

George W. Walker and myself are about to proceed to Sydney by the Henry Freeling, in company with our dear friends Daniel and Charles Wheeler, who touch there also, on their way to the South Sea Islands.

Remember me affectionately to thy wife and children, and to thy other relations of my acquaintance; and allow me to subscribe myself, with sincere regard,

Thy Friend,
*James Backhouse.*

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On board the Henry Freeling, Sydney Cove,
N. S. Wales, 5th of the 2d Month, 1835.

A New Zealand chief came on board the Henry Freeling a few days ago, but from whom I could not obtain much information, as none on board could speak his language. Since then I have learned from Samuel Marsden, of Parramatta, that this man, with his wife, is detained as a hostage by a house of the firm of George Weller & Co., Sydney, who have a profitable whaling establishment on the part of the coast of New Zealand to which this man belongs.

The lives of some of the men belonging to the establishment of Weller & Co. were thought to be in danger, and for security the New Zealander, who is represented as a chief of the territory, with his wife and one or two children, were got on board one of Weller's vessels as hostages, and brought to this country, where they have been detained several months, and where they must probably remain till the same house thinks proper to return them, as it is rarely that any vessels except theirs proceed to that part of the coast of New Zealand. It is probable that it was with the understanding and consent of these New Zealanders, and their own people, that they at first became hostages; but it appears that they had no idea of being so detained, and the New Zealand-man says, that if an Englishman had been so detained by his countrymen, a man-of-war would have been sent to demand his liberation; and the case of the mission of the Alligator to New Zealand strongly supports his view of the subject.

I have desired Samuel Marsden to write to thee upon this case, and I hope he will do so.

The right of persons to take hostages in such cases ought to be defined; and if it be not allowed by British law, it ought to be the business of some official person to prosecute on behalf of the hostages, where the law was violated. It strikes me, that where persons find it profitable to fish and pursue other business on the coasts of foreigners, they may find other means of securing the good-will of the natives and chiefs of such places at a small sacrifice upon their profits, as in making them presents, or paying them for the privilege of fishing, &c.; and that they ought not to be allowed to take hostages, except perhaps in the case of the forcible detention of any of their own men without sufficient cause.

To keep people in peace by means of hostages, unless they be reciprocal, implies to keep them in peace by fear; and in such cases as the one of the New Zealander referred to, when the persons who have resorted to this measure may leave the station, and return the hostages, who consider themselves to have been unjustly treated, should they again resort thither, they may reasonably expect the whole body of the natives will meet them in the spirit of revenge; and it will be well if the first vessel that touches at the place after the station is abandoned, do not share in the effect of the retaliation of the injured parties.

124, Albany Street, Regent's Park, London,
Sir, 10 June 1834.

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In the hope of your obtaining a Committee of the House of Commons, pursuant to your intended motion for the 24th inst., to take into consideration the circumstances and condition of the aboriginal inhabitants of all the colonial territories of the British empire, and to devise ways and means of effecting their gradual amelioration, I do myself the honour to submit for your consideration, the following desultory remarks on the state of the aborigines of New South Wales, and on the course which it would appear expedient for His Majesty's Government to pursue for the future towards that degraded portion of the human race.

The aborigines of New South Wales are ranked by physiologists under the class of Papuan or oceanic negroes—a race that is found inhabiting not only the continent of New Holland, Van Diemen's Land and New Guinea, but many of the islands of the Western Pacific and of the Indian Archipelago, the Andaman Islands in the Bay of Bengal, and certain of the wilder and less frequented localities of Continental India.

It would be out of place to attempt to ascertain the affinities of this portion of the family of man, in the course of these brief remarks, or to enter minutely into the consideration of their physical conformation, their languages, and their manners and customs. Suffice it to say, that they approximate to the African negroes in their colour; in the texture of their hair, which is sometimes woolly, sometimes wiry, and sometimes a compound of both characters; in the thickness of their lips, in the cast of their eyes; in the conformation, the remarkable thickness, and the amazing strength, of their skull. They are divided into an infinity of tribes, speaking an infinity of barbarous tongues; subsisting on whatever the rivers or the forests produce spontaneously; without clothing, without houses; equally ignorant of manufactures and of agriculture; but generally in a state of warfare with each other. In several of the groupes of the Western Pacific they have mingled with the lighter coloured Polynesian race, and their offspring have acquired a knowledge of the habits of civilization; but in general they are abject in the extreme—degraded in mind and feeble in body.

They are neither devoid of intelligence, however, nor destitute of capacity; and in their native wilds, and especially in seasons in which game is easily procurable, they are by no means strangers to a species of enjoyment. Their songs are artless, but agreeably melodious, and sometimes even poetical; their dances are an accurate imitation of the motions of the inferior animals that inhabit their native forests, and their mock fights are a still more accurate representation of real warfare than a European review. They seem to have no idea of a Supreme Creator and Governor of the Universe, and it would be difficult to determine whether they have any object of worship; but they believe in the existence of superior beings, both beneficent and malevolent; and in seasons of emergency they attempt to propitiate the former by lamentations and offerings of weapons of war, and to scare away the latter by brandishing their spears, and by other demonstrations of hostility. They have a superstitious dread of superior intelligences, but they have nothing that can properly be styled religious worship.

Whether the condition of the native inhabitants of New South Wales would have been improved, had their territory been seized by Europeans of the average character of the inhabitants of Britain, may admit of question. Decidedly averse to amalgamate with Europeans, or to embrace the habits of European civilization, the occupation of their hunting-grounds, and the clearing away of their native forests, in which the kangaroos and opossums find shelter and subsistence, would certainly have diminished their means of supporting animal life, even in the best possible circumstances in which such a settlement could have been effected, and would therefore have tended rather to deteriorate than to ameliorate their condition; for the state of miserable dependence on European charity, which in such circumstances uniformly supersedes their natural state of salutary dependence on their own resources, is but a poor substitute for the manlier energies and the other minor virtues of savage life, and perhaps tends, more than anything else, to thin the ranks of the dispirited aborigines, and to hasten their entire disappearance from the face of colonial society.

But if such would have been the condition of the aborigines of New South Wales, even in the most favourable circumstances in which a British colony could have been formed in their territory, how greatly aggravated must have been the evils of their actual condition, as a race of savages, living in contact with a community of civilized men, when the latter consisted for the most part of the off-scourings of all things; and how rapidly must the progress of the wretched aborigines have been accelerated to moral degradation and utter extinction! In short, the condition of the aborigines of New South Wales and Van Diemen's Land, ever since the first settlement of these colonies, has been peculiarly unfortunate, and calls loudly for the beneficent interference of the Imperial Legislature in their behalf. Their hunting-grounds have been seized by Europeans, and the kangaroos have accordingly disappeared from their wonted fields, and the opossums from the fallen trees of their ancient forests. But what compensation have they received for their loss of all things that are held valuable by savage man? What equivalent has been afforded them in exchange for their fields and their forests? Why, the very worst features of English civilization have re-appeared in their territory. They have been transformed into a race of paupers, and taught to beg their bread where they formerly earned it. Their native habits of temperance have been succeeded by scenes of beastly intoxication. Their tongues have been taught to frame horrid imprecations in a language which they imperfectly understand. Their bodies have been wasted by strange and incurable diseases. Their impatience of injuries has been tried with the most wanton and brutal aggressions, and in moments of frenzy they have sometimes been stimulated to deeds of indiscriminate and murderous revenge.

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In general, the free emigrant settlers of New South Wales are well disposed towards the aborigines, although in those seasons of petty warfare which have occurred at irregular intervals, from the first establishment of the colony, but which have latterly been very unfrequent, murderous expeditions have been undertaken against the black natives, and many of their number have been shot indiscriminately in the forest. This state of warfare has almost uniformly arisen from aggressions on the part of the convict stock-keepers or cattle herdsmen, stimulating the aborigines to reprisals; although there is reason to believe, that in the earlier times of the colony, when the black natives were more numerous and more warlike, and had not learned to measure their strength with that of Europeans, the aborigines were sometimes the aggressors. In such cases, however, it is probable that they commenced hostilities against the Europeans, on the same ground as they would have done against a neighbouring tribe of their own countrymen, that had crossed the limits of their respective hunting-grounds, and thereby broken the articles of peace that are tacitly supposed to be established by mutual consent. 1 August 1836.

Most of the free settlers in New South Wales live on friendly terms with the aborigines in their respective neighbourhoods, and the latter are peculiarly apt at distinguishing the peculiar temper and disposition of each of the landholders in their different vicinities towards themselves. On some estates the aborigines occasionally make themselves very useful, as in pulling and husking Indian corn; on which occasions they are generally rewarded with a few cobs or heads of corn, which they roast at their diminutive fires, and eat with considerable relish in the evening. But they are extremely capricious, and the slightest whim, on the part of any of their number, will make the whole tribe abandon their labour in an instant.

The free settlers, generally, have formed but a low opinion of the mental capacity of the aborigines, and of their capabilities of improvement. Instances of black natives who have lived with free settlers for a considerable time, and apparently adopted the dress and the habits of Europeans, but who have suddenly thrown aside their European attire, and joined their countrymen in the forest, are constantly referred to as a proof that the aborigines of New South Wales are utterly irreclaimable. It may be questioned, however, whether the experiment of taming the wild native has ever yet been fairly tried. It cannot be said to be tried, when the individual has already learned the habits and acquired a predilection for the unrestrained freedom of savage life; and these habits and this predilection may, doubtless, be acquired in the earliest childhood.

On the other hand, it cannot be denied that nothing has ever yet been done by the free settlers of New South Wales, for the improvement of the Aborigines, either physically or spiritually. Their absolute incapacity for improvement has been constantly pleaded as an excuse for the absence of all efforts to ameliorate their condition; and they have necessarily continued, just because they have been uniformly regarded, as a hopelessly abject and degraded race.

But the Aborigines of New South Wales are the children of the soil; and as His Majesty's Government have decided that every saleable acre of that soil shall be sold as speedily as possible, they have surely the first claim to a portion of the proceeds of such sales. Unacquainted, however, with the value of property, it would be worse than useless to distribute a portion of the funds arising from these sales among the black natives, either in the shape of money or in the shape of any other article of value. They must be considered as in a state of pupillage, and the Government must act as their trustee.

The first duty of the Government, therefore, considered as acting in the capacity of trustee for the aborigines, is to protect them from aggression; and this duty, I conceive, could be discharged most effectually by appointing a suitable person as Protector of the aborigines, to act under the direction and control of a Board of Protection, to consist of certain officers of the Government, certain ministers of religion of various denominations, and certain private gentlemen in the colony, distinguished for their active philanthropy.

The office of Protector of the Aborigines would be best filled by a young man of intelligence and activity, of Christian principles, of unshrinking firmness and mild demeanor. The salary would not require to be above 150 *l.* per annum, with an allowance for travelling expenses; and the source from which the whole cost of the office would be legitimately defrayed, would be the revenue arising from the sale of land. The duties of the Protector of the Aborigines would be, to inquire into the circumstances and condition of the black natives throughout the territory, by visiting each district at stated times, agreeably to the direction of the Board; to investigate every case of injury or aggression on the aborigines that might come to his knowledge, and to bring the offender to justice, either in a court of law, or by detailing the case in one or other of the public journals of the colony; and to act in all other particulars for their general benefit, agreeably to the instructions of the board.

The Board of Protection should meet quarterly, monthly or weekly, as circumstances might render expedient. Their duties should be to take into consideration the state of the aborigines generally, and to devise ways and means of carrying into effect the beneficent intentions of His Majesty's Government in their behalf; to undertake the superintendence of all measures and operations undertaken for securing their comfortable subsistence, their civilization, their general education, and their christianization.

The second duty of the Government towards the aborigines is, to secure to them such a measure of comfortable subsistence as their migratory habits, and their obstinate rejection of the habits of civilization, would enable them to attain. This duty would be most effectually discharged under the direction of the Board of Protection, who should report to the Government from time to time, and make suggestions and recommendations as they should deem expedient.

The third duty of the Government towards the aborigines, is to educate their offspring, and thereby, if possible, to wean them from the habitudes of savage life. For this purpose an establishment

1 August 1836.

establishment for native children should be formed, with a view to the bringing up of as many of the children of the aborigines as could easily be obtained in their infancy, in the habits and with the associations of Europeans. Such an establishment would not only afford the requisite solution of a problem exceedingly interesting to the physiologist, but might also serve as a future source of life and of light, of Christian knowledge and of civilization, to the wretched aborigines of the whole continent.

The fourth and last duty of the Government towards the aborigines, is to afford the requisite facilities to those who would endeavour to christianize and to civilize them, and to supply them with the means of carrying their benevolent intentions into effect. There are at present two missions to the aborigines of New South Wales. The first was formed under the direction of Messrs. Bennett and Tyerman, a deputation of the London Missionary Society, in the year 1825; but in consequence of that society having abandoned it, from the mismanagement of their agent at its outset, it fell subsequently into the hands of the archdeacon, under whom it is now maintained by the colonial government as a branch of the episcopal church and school establishment of the colony. This mission is under the care of Mr. L. E. Threlkeld, whose station is at Lake Macquarie to the northward of Sydney, and who has formed a vocabulary of the language of the aborigines, into which he has translated a small portion of the Scriptures; but it has not been attended as yet with any beneficial results, as far as its objects are concerned. The second mission to the aborigines is of much more recent establishment; it is under the care of two missionaries from the Church of England Missionary Society, to which the colonial government allots for their support the sum of 500 *l.* per annum from the colonial revenue. This mission is stationed at Wellington Valley in the western interior, about 200 miles from Sydney. The station is doubtless much more favourable than that of the mission at Lake Macquarie; but I question whether anything of importance is likely to be effected for the christianization and the consequent civilization of the aborigines, by stationary missionaries, or by attempts to translate small portions of the Holy Scriptures into their language. Till missionaries can be found willing to accompany the aborigines in their wanderings through the forest, to conform in some degree to their habits, and to share the good and the evil of their migratory state for a season, seizing every opportunity in the meantime to imbue their minds with the great truths of Christianity, and to direct their thoughts to the great concerns of eternity, I despair of ever seeing anything effected for that degraded portion of the family of man.

It is worthy of remark, however, that while 650 *l.* is paid annually from the revenue of New South Wales for the support of missions to the aborigines, besides other expenses connected with the maintenance of these establishments, the whole of that sum is expended for the support and maintenance of episcopalian missions and missionaries exclusively. The Presbyterian clergy of the Church of Scotland, for instance, would experience no benefit and receive no assistance from the government grant, if they were establishing a mission to the aborigines. Even this matter of benevolence must contribute its quota to extend the influence and to ensure the predominance of the colonial episcopacy; while it seems to remind the clergy of every other denomination in the colony, that the Government regards them with suspicion and distrust.

It is scarcely possible to form a correct estimate of the number of the aborigines in any part of the continent of New Holland. I should think, however, that their number within the limits of the colony of New South Wales cannot be less than 10,000. From the prevalence of infanticide, from intemperance, and from European diseases, their number is evidently and rapidly diminishing in all the older settlements of the colony, and in the neighbourbourhood of Sydney especially they present merely the shadow of what were once numerous tribes. It is only through the influence of Christianity, brought to bear upon the natives by the zealous exertions of devoted missionaries, that this process of extinction can be checked in other parts of the territory.

Such are the few desultory remarks which have occurred to me in the midst of a variety of harassing engagements, on the eve of my leaving England for the fourth time, on the aborigines of New South Wales. If they should furnish any useful hints in the course of your benevolent exertions for the welfare of the aborigines of all the colonies of the empire, the circumstance will afford me the utmost satisfaction.

To T. F. Buxton, Esq. M. P.
&c. &c. &c.

I have, &c.
*John Dunmore Lang.*

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Honoured Sir,

Parramatta, 11 February 1835.

I LEARN from the public papers that it is your intention to make application to Parliament, in order to obtain some legal protection for the different heathen nations in the islands and countries connected by commerce, or other relations, with the British Empire: from this circumstance, I am encouraged to make a few observations to you relative to New Zealand.

For more than 30 years I have been acquainted with the natives of New Zealand; many of them have visited me in New South Wales, and have resided in my house from time to time during the above period. I have also visited New Zealand six different times within the last 20 years, and have travelled over a great part of the large island.

The natives are men of considerable talent, and capable of any improvement in all useful knowledge, and anxious to acquire it. In their present state they have no protection from acts of violence and oppression from foreigners; and if they are ill treated, robbed or murdered, they can have no legal redress.

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New Zealand is now much frequented by vessels from New South Wales, Van Diemen's Land, England, and America. Ten or twelve vessels are sometimes lying in the Bay of Islands at the same time. There are several other harbours in the islands, to which ships resort for supplies of provisions, or for oil, timber, flax, &c., by which the natives are exposed to oppression and violence from the masters and crews; but whatever injustice they may suffer, they have none to whom they can appeal for redress. If, for instance, a chief's wife or daughter is taken from him by force, what can he do to obtain justice? Justice is entirely out of his reach, and probably he seeks redress by some act of violence on an innocent European, the real offender being out of his reach; thus innocent blood may be shed on both sides. 1 August 1836.

I have had a chief and his wife with me lately; they have been some months in the colony, and were brought from the South Cape in a whaler belonging to a mercantile house at Sydney, which has an establishment at that station, for the purpose of procuring black whale oil. I introduced the chief and his wife to his excellency Governor Bourke, and I requested his excellency to make them a few presents from Government, as a mark of public attention, which I knew would be much more gratifying to them, than to receive the same articles from a private individual. The governor directed me to purchase what I deemed would be of advantage to them, and give the articles to them when they embarked; accordingly I did so. One ship had gone for a cargo of oil to the South Cape, and had returned with 200 tons, while the chief and his wife remained in Sydney. When the second vessel was ready for sea, the chief and his wife came to inform me that they were going away immediately. I went to Sydney, and they accompanied me to the market, where I purchased what they wanted; they then took their leave of me, and departed to embark, as the vessel was to sail immediately. Some time after I met the chief and his wife in the streets of Sydney, when they told me in much distress that the vessel had sailed without them. The poor woman wept much about her children, telling me that she had left three in New Zealand, and she was fearful that they would all die. This happened several weeks ago. They are both here still, and are very unwell, so much so indeed that I am afraid the woman will die of grief. I called upon the merchants to know the reason why they forcibly detained the chief and his wife, and I was told that they were kept as hostages for the safety of their own people, who were on their establishment at South Cape. I applied to the authorities here for redress, and was informed that nothing could be done for them, there being no law to prevent these acts. How long the chief and his wife will be detained here is very uncertain. I feel much for them.

About three years ago, or a little more, I wrote a long letter to the Church Missionary Society, stating the dreadful murders which were committed on board a vessel commanded by a Captain Steward. The chiefs sent two of their own body to represent what had taken place, and to seek redress from General Darling, then governor. I stated to the governor the object of their mission, and the governor referred the matter to the law authorities. The New Zealanders were anxious to have the captain punished. The vessel and the captain were in Sydney Cove when they arrived, and on going on board they saw more heads of their countrymen placed on the table, amongst whom were some of the heads of their near relatives.

One of the chiefs never waited upon the governor, but left the colony in the first vessel, and returned home from distress at the loss of his friends. I understood that the law officers were of opinion that the captain could not be tried, for want of a proper Act; but I have since been told that the Crown lawyers at home were of a very different opinion. However, it is clear, if there is no law to punish murder at New Zealand, justice, as well as the divine law, requires that there should be, or Europeans should be prohibited from entering their harbours but under certain legal restrictions. On this subject, I refer you to my letter to the Church Missionary Society respecting Captain Steward, which, I have no doubt, you will find in the society's office, or in Downing-street; and I think you will meet General Darling's account of the above transactions in the Secretary's office, and probably his opinion upon them.

I shall much rejoice if any legal security can be procured for this fine race of men. If nothing is done by the British Government to punish crimes in New Zealand committed by the Europeans, it cannot be expected that the natives will improve much in morals or civilization. Another formidable evil is to be dreaded from the numbers of male convicts who escape from these penal settlements to New Zealand. These desperate men may, at no very distant period, seriously injure the commercial interests of the British merchants, who are connected with the trade of these islands. By their evil example and influence they will do a material injury, if no public measures be adopted to prevent them.

Should you attempt to promote the welfare of these poor heathens, and succeed in your object in obtaining for them the protection of their persons and property from fraud and violence, you will render the greatest blessing to the present and future generations of New Zealanders; and that you may prosper in your important object, is the sincere prayer of,

Honoured Sir,

To T. F. Buxton, Esq. M. P.
&c. &c. &c.

Your most obedient humble servant,
*Samuel Marsden.*

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# APPENDIX.

No. 1.—Papers delivered in by the Rev. John Philip, D.D., and referred to in his Evidence of 15 June 1836 - - - - - - - - - - - - - - - p. 687

No. 2.—Papers delivered in by the Rev. John Philip, D.D., and referred to in his Evidence of 11 July 1836 - - - - - - - - - - - - - - - - p. 724

## Appendix, No. 1.

No. 1.
Papers referred to in Evidence of the Rev. *J. Philip*, D.D 15 June 1836.

PAPERS delivered in by the Rev. *John Philip*, D.D., and referred to in his Evidence of 15 June 1836.

Cape Town, Cape of Good Hope, 13 March 1834.

May it please Your Excellency,

ON my first interview with Your Excellency, the commando system was mentioned as having been brought under your Excellency's notice by Messrs. Hankey and Ellis, as an evil which called for a remedy. Not having sent home to the directors of the London Missionary Society any documents expressly on that subject, and Messrs. Hankey and Ellis not having sent me any copy of the notes which they presented to you on your departure from England, I am not aware of the precise view they might have in contemplation in that communication, whether it was the evils which had arisen out of it on the northern frontier, or those that still retard the progress of civilization among the Caffres, and threaten the destruction of that people; but as your Excellency's attention will shortly be called to that subject, with your Excellency's permission, I shall take the liberty of stating to you my sentiments on this subject; and if what I may write only serve to guide your Excellency in the inquiries you may consider it necessary to institute, I shall deem it as an ample compensation for any little labour it may occasion me.

As I have no personal animosity against any individual in the colony, and I have no wish for anything beyond the establishment of a better order of things on the frontiers of our colony, I shall not go into any specific cases that might illustrate the evils of the old system, but confine my observations to the abuses to which the principle of the system, or the manner in which it has been conducted, is liable, and with which it must necessarily be followed in the hands of any class of men to whose agency it may be entrusted. It is not for me to say what instructions may have been given by the colonial government on the subject of commandoes, or what changes may have been made in such regulations, or what may have been left to the discretion of the officers in command, or of those on whom the conducting of such commandoes devolved; but I presume that the following things will not be denied as it regards the manner in which such commandoes have been usually conducted. In this case the common practice on the eastern frontier of the colony is for a boor, when he misses any of his horses or cattle, to go to Fort Willshire or Fort Beaufort, or the military station at the Chumie, or to any other military party near to him, and to state to the person in command the number of the cattle or horses said to have been stolen, and to solicit a party of the soldiers to accompany him on the track of the stolen cattle or horses, and such requisitions are generally complied with. When the commando loses the spoor or track of the horses or cattle, the practice is to go to the nearest Caffre kraal, or village, and to make it answerable for the theft and the fine which is inflicted as a punishment upon the thieves. The Caffre law, by which the Caffres exact certain fines from each other when thefts of this nature are detected among them is, I believe, four or five head of cattle for each that may have been stolen, and this is generally demanded by the boor whose cattle have been stolen; but there seems to have been a discretionary power with the officer as to the amount of the fines to be levied. The abuses to which such a system is liable, the constant alarm in which it must keep the Caffre villages, the temptations it affords to bad colonists to enrich themselves in this manner, and the frequency with which the innocent must suffer for the guilty, are points that will not escape the observation of your Excellency when the subject shall be brought fully before you. When it is considered that no oath is administered to the complainant, and that no certificate from any veld-cornet, or from any other magistrate, is required as to the number of cattle actually lost, your Excellency will perceive that the property of the Caffres is placed in the power of any avaricious and unprincipled white man in their neighbourhood. It is a matter of little consequence to what country men originally belonged, whether they are by birth Germans, Hollanders, colonists or Englishmen, the temptation is too great for human nature, in such circumstances, not to be abused. It is a curious fact, that some of the men who have complained most loudly of the depredations of the Caffres upon their property, and who have been most frequently engaged in commandoes to recover stolen cattle, are said to be men who have risen most rapidly from comparative poverty to wealth, a circumstance which gives but too much countenance to many of the complaints of the Caffres against certain individuals, by whom they have been most annoyed.

The mode of pursuing the stolen cattle by following their tracks is, perhaps, the best method that can be adopted under the present system; but from the attention I have been able

No. 1. Papers referred to in Evidence of the Rev. *J. Philip*, D.D. 15 June 1836.

able to pay to the subject, it appears to me that the sense by which the pursuers are guided on such occasions has attained so much less perfection than is generally ascribed to it. Those that are in the habit of tracing stolen cattle speak with confidence on this subject; but, in the course of my experience, I have met with many instances in which I found that confidence misplaced. I have, on several occasions, known parties out for days on the track of cattle and horses supposed to have been stolen, and it has afterwards been found that the cattle missing had strayed in a different direction, and that they could not have been in that direction in which the party seeking after them were confident they had discovered the prints of their feet.

This uncertainty is much increased by the practice of the thieves, who, knowing that their pursuers will follow them by the track of the cattle, lead them over places where the prints of their feet are least likely to be visible; and the cruelty of the present system becomes more evident, when it is known that they generally lead them in the night so near to the villages intervening between them and the places of their own abode as to make the suspicion fall upon the innocent, and stop the pursuit, which the pursuers are generally willing to do when they can find a pretext for it.

Your Excellency will perceive, from this circumstance, that the Caffres nearest to the Colony, although they may be the most honest part of their nation, are liable to be the most calumniated, and to be the greatest sufferers. It frequently happens that the pursuers will lose the tracks five or six miles distant from the nearest Caffre kraal; and considering the different direction in which the cattle may have been driven, it is hard, and yet a common case, to proceed to that kraal, and to make it answerable for the cattle or horses said to have been lost. A case of this kind occurred the last time I was at the Kat River. A boor, with a party, came to the kraal of Macomo, stating that they had lost some horses, and it was discovered, on inquiry, that they had lost the tracks at a place six miles distant from the chief's residence. Mr. Read, the missionary at the Kat River, was present when the boor arrived, and procured more favourable terms for the chief than he might otherwise have expected; but Macomo's remark upon this affair is entitled to consideration. The chief remarked that boors and settlers often came to him in quest of stolen cattle and horses that were never afterwards seen in any part of Caffreland, and he could not account for it on any other principle than this, that the cattle and horses were often brought in that way into Caffreland by the owners themselves, and driven back again to find a pretext to rob the Caffres of their cattle.

This opinion will appear the more probable, when it is recollected that the present system not only holds out to the bad men on the frontier a prospect of enriching themselves in this manner with impunity, but it also holds out a temptation to bad men in other parts of the colony to settle near the Caffre frontier for the purpose of acquiring or increasing their wealth. "Where the carcase is, there will the eagles be gathered together."

The number of cattle demanded for horses said to have been stolen greatly increases the oppression the Caffres labour under.

From the certainty the boor has that he will be indemnified for his lost horses and cattle in this way, your Excellency must perceive that he has no inducement to watch over them to keep them from straying; and I feel confident that much of the losses said to have been incurred by the boors have arisen from the negligence to which this part of the system has given rise. I have been told by several of the most respectable of the traders and others, that they have lost more oxen between Algoa Bay and Graham's Town than ever they lost in Caffreland, and that they would feel their oxen were as safe in Caffreland in the night as they would be in the neighbourhood of Graham's Town or the Bay. Even when thefts have been committed by individuals, "Caffres," it is a hard case certainly to make the honest part of the nation pay for the negligence of the colonists, or to hold out a premium to be levied upon the Caffres as a reward for their carelessness. That part of the system which makes the innocent suffer for the guilty is often animadverted upon with great severity by the Caffres themselves. In a conversation with Macomo on this subject, the chief asked if this was the manner in which we administered justice within the colony. "You have bad people," he added, "in Graham's Town. Last time the governor was there some of them stole the chain off his waggon; did he punish the town for the theft? When anything is stolen and carried from one district to another, and if the thieves cannot be found, is the veld-cornet or one of the magistrates visited with the punishment due to the thieves? I have guarded the frontier of the colony to prevent the Caffres from stealing from the colonists for many years. In this service I have been engaged night and day, and what has been my reward? Driven from my country, I am now without a home for myself or my people, and the few cattle left me are made answerable for every theft alleged to have been committed, though it may have been done by people who acknowledge no chief, and who live by thieving, and have no other abode than the bushes. It may be said, why do you not search the bushes and discover those people, and prevent their stealing. What then? Have I not done this? I have caught thieves; I have sent them to Graham's Town; and they were scarcely there when they were set loose upon me again, as if they had been let loose to return again to their old practices, that the colonial authorities might have their bad deeds they might afterwards commit as ground of fresh accusation against me."

If the tribes in the immediate neighbourhood of the colony are the first who suffer by the commando system, its effects are not confined to them, and it is difficult to say how far they are extended, or to estimate the amount of mischief that is produced by them. When a pastoral people are deprived of their cattle, they in the first instance become thieves by necessity, and ultimately they come to make a trade of stealing and robbing. One of the chiefs in Caffraria being asked, on having a number of cattle taken from him by a commando,

mando, what he did to replace them, remarked "that he was ordered," in answer to the complaint which he made on that occasion, to go and find out the thieves, and indemnify himself by the appropriation of the stolen cattle in place of those that had been taken from him. When he had weaker neighbours, such an advice was not likely to be thrown away upon him, and he confessed that he had gone to his more distant neighbour, and in reply to his complaints on seizing his cattle, satisfied himself by giving him the advice he had been so ready to take in his own case. It must be obvious to your Excellency, that there can be no other limits to the baneful effects of such a system, than those which nature may have fixed by seas or other natural boundaries, and it is to be feared that the evil increases as it rolls along from one part of this ill-fated continent to another. The mischief we now deprecate is, of all the mischiefs that has attended the slave trade, the greatest, and there is not in the centre of Africa at this moment, a fragment of society that has not been dashed to pieces against another, by the capture of cattle in the wars which have originated in the attempts which have been made to procure slaves. The neighbourhood of the coasts alone might have supplied the slave markets, but those who seize the people to carry them to the slave traders, seize also the cattle of the tribe they may have subdued, and the people remaining have no alternative but to rob those beyond them or perish, and thus the first robbery gives rise to a succession of robberies, which has desolated the most central parts of this continent, and from the barbarizing effect of which, it will be long before it recovers.

From whatever causes it may have arisen, our colonial history has been one on which the mind feels little pleasure to repose, but I cannot help flattering myself that it has been reserved for your Excellency to put a stop to the evils of which we complain, and to teach the world how such a colony as this may be governed and extended without exterminating the aborigines of the countries which may be added to the colony, or making deserts of the countries beyond our present frontiers. Your Excellency requires nothing beyond the simple facts, that any boor can by his mere *ipse dixit* procure a commando, to recover cattle or horses said to have been stolen from him, to perceive that the working of such a system must give rise to great injustice and cruelty towards the Caffres. "There has been long since," says the preamble to the constitution of Otho II., "a detestable custom, by which if the title to an estate was said to be false, and the person who claimed under this title, made oath upon the Gospels that his title was genuine, he was allowed without any further judgment to take possession of the estate, so that they who would perjure themselves were sure of gaining their point." If such a law was pronounced detestable, notwithstanding the solemnities of an oath attached to it, from the facility with which it put every man who was willing to perjure himself in possession of property held by another by an imperfect title, what shall we say of the facility with which the boor on the borders of our colony can get possession of the cattle of Caffres? In the present state of our frontier districts, I do not know that the intervention of an oath would much increase the security of the Caffres, or afford much protection to their property. We have seen what a feeble barrier it was against avarice in Europe, but your Excellency will not be at a loss for more efficient means to effect so just and so desirable an object. Men living in the midst of such a state of things, and who may be supposed capable of employing such pretexts to rob the Caffres to enrich themselves, would care little for oaths; but a rigid examination into the number of cattle they might have said they had lost, followed by punishments when they might be found to have practised deception, might furnish some check upon their rapacity. They may be at present under more restraint than formerly, but hitherto, if I am rightly informed, they have been under no check, and their crimes have neither been examined into nor followed by shame or punishment. As no affidavit or certificate is required from the boor as to the real value of the horses or cattle said to have been stolen, more than as to the number he may say he has lost, the system, owing to this circumstance, is liable to a still greater abuse. In pursuing cattle or horses said to have been stolen, the impression of the feet of the stolen animals are some check upon the rapacity of the boor; but in this case he has nothing to check him, and he may demand the highest price given for the best horses in the district, for horses of scarcely any value. In settling the matter with the Caffre chiefs, the boors generally estimate the value of their horses at from 200 to 300 rix dollars, and demand from 10 to 15 head of cattle for each horse; and it is to be feared that there is often too much truth in what the Caffre asserts, that it would appear as if horses not worth 30 dollars were sometimes purposely lost, that their proprietors might have a pretext for going with a commando to the next Caffre kraal, to demand in return for them what number of cattle they may think proper to value them at. There is another circumstance in the manner in which the present system is conducted, deserving of your Excellency's consideration.

The disputes which have taken place for the last 16 years between the colonial government and the Caffres, respecting the lands beyond the Fish River, your Excellency will find circumscribed within a narrow compass. They all turn upon this hinge, "Was the territory in question actually ceded by Gaika to the colonial government, and had he any right to cede those lands in the manner in which he is said to have done it?" The history of the whole affair appears to have been as follows: Lord Charles Somerset, in 1817, invited Gaika to meet him at the missionary station of the late Mr. Williams on the Kat River. Mr. Williams was a missionary in the service of the London Missionary Society, and his station was then in Caffreland, at the point at which the united streams forming the Kat River issue from behind the Winterberg mountains, to follow its course on the western side till it unites with the Fish River. From some suspicions which had been awakened in the mind of Gaika, it was with great difficulty that Mr. Williams could prevail

No. 1. Papers referred to in Evidence of the Rev. *J. Philip*, D.D. 15 June 1836.

upon him to meet his Lordship on that occasion. The principal business the Governor appeared to have in that interview was to inform Gaika that the colonial government was in future to look to him as responsible for the conduct of the other Caffre chiefs in the country between the Fish River and the Kye, and that he was to be answerable for any horses and cattle which might be stolen from the colonists by the Caffres. On this subject Gaika was explicit. He informed his Lordship that he had no power over any of the other chiefs in Caffreland, and he referred the Governor to the other chiefs who were present for the proof of his assertions, and as persons as competent to enter into such engagements with his Excellency as himself. To treat with the different chiefs separately or together did not accord with the line of policy his Lordship chose to adopt on that occasion, and he left Gaika, repeating to him what he had before said, "That the colonial government must look to him for the good conduct of the other Caffre chiefs, and for any horses or cattle that might in future be stolen from the colony." Shortly after this Gaika received an order to recover some stolen horses. He then felt the difficulty of his situation, and that he had no alternative but to obey the order he had received, or to risk the displeasure of the colonial government; and to avoid the latter he chose the former, to obey the order which had been sent him. By the deference he paid to the order of the colonial government in this instance, he involved himself in war with T'Slambie, his uncle, and several other chiefs, and it came to a battle, in which Gaika was defeated. A large colonial commando was sent to the assistance of Gaika. T'Slambie and the chiefs with him were defeated, and 16,000 head of cattle was taken from them. Gaika had lost his cattle when he was defeated by T'Slambie, and had given to him a few of the cattle taken from T'Slambie. This commando of Colonel Brereton gave rise to the attack of T'Slambie, and the chiefs who sided with him, on Graham's Town, which was followed by the commando of Colonel Willshire. It was after the defeat of T'Slambie and his people by Colonel Willshire that Gaika, with his chiefs, who had remained faithful to the colonial government, were informed that they were to be deprived of the largest and fairest portion of their country. It was in obeying the order of the British Government that Gaika involved himself in this war with T'Slambie, and was defeated; and it was after T'Slambie had been defeated by the colonial troops sent to execute what he was not able to effect against T'Slambie, that the astonished chief first heard, in the midst of those troops, and when he was all but petrified with terror at the aspect of the military array that surrounded him, that it was the determination of Lord Charles Somerset that the country between the Keiskamma and the Fish River was to be given up by the Caffres to form an uninhabited boundary for the security of the colony against Caffre depredations. (See Proclamation, 27th October 1819.) Whether it was a just act on the part of the colonial government to deprive Gaika of his country under the circumstances which have been mentioned, it is for your Excellency to decide; but your Excellency will discover, by an examination into the whole affair, that the treaty and the voluntary consent of Gaika, which have been urged as the ground of this measure, are untenable, and must be given up. Gaika, to the last hour of his life, complained of the conduct of the colonial government in this transaction. In all his conversations with the missionaries and with the Caffres, he persisted in affirming that he never gave his consent to the arrangements which stripped him of his territory; and had anything been said by him when this decision of the government was announced to him capable of bearing such a construction, in the midst of British troops, trembling for his life, it must have been anything but a voluntary concession: but even of this there was no proof ever attempted. If a pretext such as has been set up to justify the seizure of the territory in question is still thought necessary to justify the deed, what becomes of us when we are called upon to defend the seizure of the lands of those chiefs who never acknowledged the power with which the colonial government invested Gaika. It has never even been pretended that their acquiescence was sought, when Lord Charles Somerset was pleased to place Gaika in this new situation; and as this was done contrary to the protestations of Gaika, and without the consent of the chiefs, it can scarcely be urged that Gaika had any legal right to concede what was not his own, and what had never been yielded to him in any shape, or that the colonial government had any right to invest Gaika with a power over those chiefs to dispose of their lands, and then to accept, at his hands, the surrender of what he had no other right to give away than that which we had given him over what belonged to others. If our claims to that country, and the appropriation we have made of some parts of it, have no other claim to rest upon than what has been called the treaty of 1817, and the consent of Gaika to the alienation of the territory in 1819 from himself and the other chiefs who have suffered by it, it must be obvious to your Excellency that those claims will not bear investigation. The chief may resign his chieftainship, and the king may resign his crown, but it will scarcely be asserted in the present day, that one or the other have any natural or acquired right over the lands of his subjects to give them away at their pleasure. I am not disposed to affirm that the object of what was called the treaty of 1817 originated in a design to involve Gaika in difficulties which might present a pretext for the seizure of his country; but whatever construction may be put upon it by those who may hereafter look over the history of this colony, nothing can do away with the facts, that the war into which he was involved with T'Slambie was brought upon him by a service into which he was forced by the colonial government, and that the seizure of his country was the price we made him pay for the restoration of the few cattle he had lost in our service. Our assistance was not necessary to restore to him his country, or to keep him in possession of it. The victorious chiefs were content with their territory. When the English commando came into Caffreland, Gaika was in possession of his country, and under no apprehension of being driven from it; and he suffered from a civilized nation, and

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that nation his ally, and for whose sake he had brought himself into all his difficulties, what he never would have had to dread from his barbarian enemies. The silence which might have been imposed upon Gaika by the terror of his situation can scarcely be urged as a proof that he then freely and voluntarily, as the chief of the Caffre nation, acceded as a contracting party to the announcement made to him on that occasion; and there is strong evidence remaining to be considered, which show that his alarm, great as it was, did not even lead him so far as to say anything which could be fairly and equitably construed into a consent on his part. Though cut off from the main body of his own people when the announcement was made to him, to which he has been said to have given his consent, he was not wholly alone, he was still accompanied by a party of Caffres; and there was not a single individual with him on that occasion who understood that Gaika then gave his consent to the plan then proposed, of expelling the Caffres from the land in question. The expulsion of the Caffres from that territory was so unpopular a measure with the whole Caffre nation, that any countenance that might have been given to it by Gaika would have loaded him with the execration of his whole nation; and it is a strong presumption in his favour that none of those present with him when he was said to have done this, ever accused him of it, and that no one, even of his enemies among the Caffres, ever seem to have believed that he had done so, or that it was anything more than a pretext on the part of the colonial government to deprive them of their country.

There is an additional circumstance in this case in favour of the Caffres, which will not escape your Excellency's observation: your Excellency will discover that, from the laws and constitution of the Caffre tribes, Gaika had no right without the consent of the other Caffre chiefs affected by the transaction, to agree to any arrangement of the kind, and the colonial government had no right to deprive those chiefs of their country on the consent of Gaika, could it be proved he had given his consent to it.

The first complaint your Excellency will probably hear in Caffreland, will be from Macomo and Botman; the circumstances of those two chiefs, and those of Macomo in particular, will engage your Excellency's attention. Macomo is the eldest son of Gaika, and Botman was one of his principal chiefs, and both, so far as I have been able to ascertain, have always proved themselves faithful to the colonial government; both were involved with Gaika in the war against T'Slambie, and they complain that while some of the chiefs or their sons who were on the side of T'Slambie in that war, are still allowed to graze their cattle on the Beke, which lies between the Keiskamma and the Fish River, they have been driven over the Keiskamma and stripped of all their territories. An attempt has been made to justify the expulsion of Macomo from the Kat River in 1829, on the ground that that district was originally included in what has been called the ceded territory; but if it shall appear to your Excellency that the colonial government at that period had no other right than that which belongs to power, to expel the Caffres of Gaika from the lands between the Fish River and the Keiskamma, your Excellency will have to judge of the expulsion of Macomo by the same rule by which you will have to judge of the merits of the plea set up to justify the expulsion of the Caffres from the debateable ground between the Fish River and the Keiskamma, which took place in 1819.

The right to expel Macomo from the Kat River territory, was justified by the colonial government, at the time at which it took place, on the ground that it was a part of the ceded territory; but the reason alleged for expelling him from that country in 1829, was an attack he made upon a tribe of Tambookies. He was in that instance accused of severity towards that people, and of having driven some of them into the colony, and this was given as a sufficient reason for not allowing him to remain any longer in a country which was said to belong to the colony. Macomo, in his own defence, alleges that what he did in that instance was to establish the authority of the principal chief in that district, who was his own relative; that in connexion with that object his intention was to check the petty depredations these people were committing on the colony, and for which he was made responsible by the colonial authorities; that the account given to government of that affair had been greatly exaggerated; that instead of 5,000 head of cattle, he had not taken 500; that he had never been confronted with his accusers, though he had requested that that might be the case; and that he had neither pursued nor driven the Tambookies into the colony, and that if a few of the people went among the colonial boors, grazing their cattle on the Caffre side of the colonial boundary, that that circumstance could not be charged upon him as a crime.

My own opinion of Macomo is, that he has been faithful to the colony, and that the colonial government will not be able to find among all the Caffres a chief more deserving of its confidence, or one whose influence may be increased with more safety and advantage to the colony.

The Kat River, the beautiful territory taken from him in 1829, cannot now be restored to him, but could your Excellency allow him to re-occupy the ground from which he has been lately expelled, with any additional ground in its neighbourhood he might have a fancy for, if it were only on sufferance, it would secure his allegiance to the colonial government, and convert him into a useful ally; Botman might be indulged in a similar manner, and on the same principle. The aged chief Enno was also one of Gaika's chiefs, and is well spoken of by those who have known him long and intimately. The chiefs Pato and Komo, the sons of Congo, who was with T'Slambie, have always been allowed to occupy the country between the Keiskamma and the Beke, and they have always, since the war in 1819, been good neighbours to the colony.

This indulgence shown to those two chiefs has been merited by their good conduct, but any comparison made in their favour to the disadvantage of one or the other

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of the chiefs who have not found so much favour, may perhaps partly be traced to another source. The Wesleyan Missionary Station, Wesleyville, is on their ground, and they have always had the Wesleyan Missionaries to defend them; Macomo, on the other hand, has not been so fortunately circumstanced. The Caffre Mission on the Kat River was broken up by that chief's ejection from that country, before any considerable impression was made upon himself or his people in favour of Christianity, and he has ever since been in such a state of insecurity, embarrassment and apprehension, that there has been no encouragement for a missionary to settle with him, so as to do any permanent good to himself or his people; Botman and Enno have never had any missionaries with them. I have taken the liberty of enclosing a translation, and a copy of a letter from the Caffre chief Tzatzoe. This chief resides with his father on the Buffalo River, he was educated at Bethelsdorp, and he now acts as interpreter to Mr. Bromley, who is a missionary in the service of the London Missionary Society, among old Tzatzoe's people.

The writer of the letter in question made his first appearance as a writer a few months ago in the Graham's Town Journal, in defence of some letters of A. Bruce, Esq. H. C. C. S. whose statements on the commando were attacked in some of the colonial newspapers. He has since this written several letters on the same subject, which appeared in the Graham's Town Journal and the Commercial Advertizer. Tzatzoe expresses himself in strong language, but your Excellency will be able to make the necessary allowance for him as a Caffre chief. Your Excellency will hear it reiterated again and again in defence of the commando system, that no other system will do with the Caffres, but it is for your Excellency's consideration, whether the example of the Kat River settlements does not suggest that milder measures with the Caffres might be equally, and perhaps more efficient. Under the best system that can be established, the farmers will occasionally lose cattle, but the principle which would punish a nation for the bad conduct of an individual, will not be tolerated by your Excellency. The practice of making the innocent suffer for the guilty, and whole nations for the faults of individuals, would require a case of necessity which has not yet been made out in reference to the Caffres to justify it. Our Indian empire has a much more extended frontier to defend against the depredations of neighbouring tribes, than that on the line of our colonial boundary, and anything like our commando system is unknown in that country. A common apology which has been urged in defence of the commando system, that we do no more in recovering stolen cattle in this way, than the Caffres are in the habit of doing among themselves under similar circumstances, will not have much weight with your Excellency. We have the resources of a civilization which they do not possess; we are in possession of a religion characterized by justice and humanity, which we wish to recommend to them; we owe them an example which will make our neighbourhood a blessing to them; and we pay a poor compliment to ourselves, if we imitate them in one of their most barbarous practices, and then allege their example to justify our conduct. I am aware that it may be pleaded that the practice has been of long standing in this colony; but your Excellency will perceive that this argument carried to its full extent, would shut the door against all improvements, and shut up suffering humanity in a state of hopeless degradation and wretchedness.

The common method of rebutting the charges brought against the old system, by a reference to the honourable principles and good feelings of those who have been in the habit of conducting it, may occasionally silence objectors, but the judgment can never be convinced by it. Our sympathy with the principles of truth and justice is not in ordinary circumstances a match for the selfishness of the human heart, and your Excellency knows enough of human nature not to know to what extreme lengths men may be carried by their passions, when they can be gratified with impunity, and without any loss of character in the circle with which they wish to be on good terms. Any one acquainted with the principle of the commando system, may form a correct estimate of its real character, if he is ignorant of the detail of its abuses. Whatever may be said of the inaccuracy of particular reports of specific cases, it must be admitted that the system that places the property of the Caffres in the power of any unprincipled white man in their neighbourhood, must give rise to scenes of great injustice and cruelty.

The fears I entertain that the present system, if persevered in, must lead to the extermination of the tribes beyond the border of our colony, may at first sight appear groundless; but when your Excellency shall take into consideration the necessary tendency of the system, you will not think that I have drawn more into the conclusion than is warranted by the premises. Any traveller who may have visited the interior of this colony, little more than 20 years ago, may now stand on the heights of Albany, on the range of mountains that stretches beyond the district of Cradock, or in the midst of a district of 42,000 square miles on the north side of Graaff Reinet, and ask the question, "Where are the aboriginal inhabitants of this district which I saw here in my former visit to this country?" without any one being able to inform him where he is to look for them "to find them." If such have been the results of the system before the emancipation of the Hottentots and the abolition of slavery, your Excellency will not fail to perceive how much we have to fear from its continuance, now that the Hottentots are free and slavery is abolished.

To the considerations arising from what is due to the principles of religion, justice and humanity, which must have been suggested to your Excellency's mind in your reflections on this subject, it cannot have escaped your Excellency's notice, that any system that will extend justice to the Caffres must be favourable to the interests of the colony. Since the philosophy of commerce came to be understood in Europe, it has been discovered that justice and humanity among nations are in perfect unison with the dictates of sound policy, and in no circumstances is the necessity of this union more apparent than it is in the relations

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tions of such a colony as this with its more barbarous neighbours. The demoralization occasioned among barbarians by the avarice of the unprincipled trader, or the cattle taken from them by commandoes, may have enriched individuals, but the general tendency of the system is to destroy the rising industry of such a people; and it converts peaceable tribes into banditti, and to produce poverty, wretchedness and ruin.

Such as would plead for the continuance of such a system, for the immediate advantage to be derived from it, resemble the savage in the fable, who cut down the tree to get at the fruit. The opening of the Caffre trade has been of great advantage to the district of Albany, and to the colony at large; but the profit derived from that trade, under the present system, has reached its maximum, and must shortly come to nothing, if no corrective is to be found for the abuses of the system of which we complain. A small settlement may find some compensation for the loss of its trade by the enlargement of its territory, but the white population of this country is already too widely spread abroad; and any further extension of the colonial limits, to suit the tastes of that class of the inhabitants, would only increase the evil under which the colony is now suffering, and retard its improvements. Were the Caffre country to be cleared tomorrow, as the Boschman country was a few years ago, that it might be given to the sons of the boors, whom nothing will satisfy short of such domains as their fathers have deemed essential to their happiness, we should not have in it above one-tenth of the population now occupying it; and thus the advantages we might derive from the incipient industry of the present occupants of the country, would be sacrificed without affording us a single compensation for the loss of our present advantages, and those of a prospective nature, which we may derive from the civilization of the Caffres.

Your Excellency will not fail to perceive, that in addition to the advantages which have been noticed as likely to result from the adoption of a more liberal system of policy towards the Caffres, it will shortly enable your Excellency to effect a great reduction in the expenditure now employed in the defence of the eastern frontier. The late Colonel Fraser, who spent his life in the army on the eastern frontier of the colony, used to say, that were the frontier of the colony placed on that footing on which it ought to be placed, two companies of the Hottentot corps would be quite sufficient for its defence. The report of the Crown Commissioners of Inquiry on this subject has not been printed, but that they were favourable to the views I have advanced in this document may be inferred from the following statement, in the conclusion of one of their printed reports on the finances of the colony:— "We can only hope," it has been remarked by those gentlemen, "for a reduction of the heavy expense that is now incurred by the progressive establishment of more amicable relations with the tribes on the frontiers, and it is at once consolatory and satisfactory to reflect that any measures that have a tendency to preserve the tranquillity of the frontier on the side of Caffreland, will, in the same degree, contribute to the prosperity and commercial enterprise of the colony."

Before concluding this article I may notice, for your Excellency's information, that the spot which was occupied by the late Mr. Williams as a missionary station, and where Lord Charles Somerset met Gaika in 1817, and a few places in its immediate neighbourhood on the Kat River, adjoining the locations of the Hottentots in the new settlements, are still unoccupied by any class of settlers.

I submit to your Excellency's consideration, whether it would not be well to have those places peopled by industrious Hottentot families, should it at any future period be thought expedient to reduce the military establishment on the eastern frontier, a thing not at all improbable; it will then probably be thought advisable to embody the Hottentots residing in that quarter, as a kind of militia, for the defence of the frontier, and in that case it would be of importance to have them as much together as possible.

The Hottentots are known to be admirably fitted for such military service as is required in the country, and the Government can always depend on their courage and their loyalty, and by filling up those places with that class of people, your Excellency might always have 1,000 men, who might be assembled on any emergency within a few hours' notice, who would be equally prepared and ready to repress any insurrection which might happen among the boors, or to repel any incursion of the barbarous tribes beyond them.

Your Excellency may place in favourable situations 5,000 Hottentots in a country that would not satisfy 50 boors, with their families, and your Excellency may think it deserving of consideration, whether, in the present state of that frontier, villages would not be preferable to single farms.

After the plan recommended by the editor of the Commercial Advertiser for putting the affairs of the Caffre frontier on an equitable and permanent footing, little remains to be said on this subject. Mr. Fairbairn's plan appears to me one as likely to answer the purpose, in present circumstances, as any other I have heard suggested. If any particular part of the plan appears objectionable, the objectionable parts may be omitted, and it may be adopted with such modifications as circumstances may require.

I should have no objection to see the whole country, from the Keiskamma to the Kye, or even from the Keiskamma to Delagoa Bay, included within the limits of the colony, on the plan adopted by the ancient Romans, which led them to spread themselves and their institutions over the countries which submitted to their government.

The British Government might in this way prove a great blessing to Africa, as it has been to India; and nearly all the chiefs in Caffraria and all the people, and almost all the chiefs on our northern frontier and the people would be rejoiced at the adoption of such a measure by the British Government; but the heart sickens at the prospect of the progressive

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gressive extension of the colonial boundary by the extermination of the natives of the country.

A few years ago we had 1,800 Boschmen belonging to two missionary institutions among that people in the country between the Snewbergen and the Orange River, a country comprehending 42,000 square miles, and had we been able to treble the number of our missionary stations over that district, we might have had 5,000 of that people under instruction. In 1832 I spent 17 days in that country, travelling over it in different directions. I then found the country occupied by the boors, and the Boschmen population had disappeared, with the exception of those that had been brought up from infancy in the service of the boors. In the whole of my journey, during the 17 days I was in the country, I met with two men and one woman only of the free inhabitants who had escaped the effects of the commando system, and they were travelling by night and concealing themselves by day, to escape being shot like wild beasts. Their tale was a lamentable one. Their children had been taken from them by the boors, and they were wandering about in this manner from place to place, in the hope of finding out where they were, and of getting a sight of them.

I shall be glad to see any system established on the Caffre frontier that may have for its basis the principle of reciprocal justice. The Caffres have got among them the rudiments of civilization, they have tolerably correct notions of the value of property, their artificial wants are multiplying, and their industry will increase along with them; and seeing, as they do, the advantages of superior civilization before their eyes, which they begin to appreciate, it is necessary only to furnish them with that security which is needful to stimulate industry and to facilitate the labours of the missionaries to convert them into peaceable and useful neighbours, or good subjects.

It is to be hoped that the days will never return in this colony, when it used to be a common saying, "nothing will civilize the Caffres but powder and shot." Had the Romans acted upon such a principle with our barbarous ancestors, the history of the world would have been very different from what it now is.

Should your Excellency enter into any treaty with the Caffre chiefs, I should think it a most desirable thing that the whole should be reduced to writing, and that the chiefs should have copies of it in their own language.

The whole history of our intercourse with the Caffres for the last 20 years furnishes the best commentary on the advantages which may arise from the adoption of such a measure.

The Caffres will by this means know what they have to expect and what they have to fear from the colonial government, and the very existence of such a document among them might greatly promote their civilization by increasing their desire after a knowledge of letters.

I submit to the consideration of your Excellency whether, on entering into any treaty with the Caffre chiefs, it would not be desirable to introduce an article into the treaty, stipulating with them for the abolition of torture in their punishments. The bane of the Caffre tribes at this moment is the practice of torturing one another on charges of witchcraft. In the ignorance and credulity of the people we are to search for the foundation of this practice, but it is the profit which arises from it to powerful individuals which imparts to this superstition its obstinacy, and which renders it most difficult to deal with it. When a man is charged with witchcraft all his cattle fall to the chief, and it is seldom that a poor man, who has nothing to lose, is ever charged with this crime.

Perhaps it might not be advisable to attack their prejudices and the immediate interest of the chiefs by the introduction of an article into the treaty obliging them formally to abolish all punishments for the alleged crime of witchcraft; but an article making them pledge themselves to the abolition of torture would be agreed to without creating their suspicions, and it might ultimately effect this object.

We have, in the history of our colonies, several examples of objects of this nature having been gained by similar means. One instance of this kind is related in the life of Sir Stamford Raffles, while he was governor of Batavia. Vide p. 103.

Your Excellency has a nobler object before you in attempting to civilize and save the Caffres, than it is possible to gain by their extermination. That the Caffres are susceptible of all the improvements of which Europeans are capable requires no proof; and your Excellency will allow that it will be much better for the colony that that people should become a civilized people, than it will be for it that they should be exterminated to make room for a few boors, who are already at too great a distance from the seat of authority and the centre of our colonial civilization.

It will prove one of the purest satisfactions that your Excellency can enjoy, to be able to find a remedy, "which I have no doubt you will be able to find," for an evil which has been the opprobium of so many former administrations; and that all your Excellency's plans for the improvement of all classes of men in this section of this ill-fated continent may be abundantly prospered by the blessings of Heaven, is the fervent prayer of

Your Excellency's most obedient,
Much obliged, humble servant,
*John Philip.*

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Cape Town, 22 February 1835.

It is a reproach to the colonial, perhaps to the British Government, that more than a quarter of a century has rolled away since the Cape became a British settlement without the slightest perceptible improvement having been made in the system of intercourse with our powerful neighbours, the Caffres. After a number of ridiculous experiments, the old system of commandos and patrols seems to be indolently acquiesced in, as if nothing better could be desired.

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This system manifestly gives satisfaction to neither party on the frontier. The colonists complain that Government affords them neither protection nor redress; that they are always insecure, and always sufferers. The Caffres, on the other hand, represent the whole system as founded on false principles, and stained with injustice and cruelty to them; and the impartial observer soon becomes satisfied that both parties have ground for discontent and alarm.

But though all agree in admitting the imperfections of the present system, we have not yet seen a remedy proposed from which much good can be expected. To recommend justice, humanity and generosity to the stronger party may gain a man credit for good feelings; and it is to be feared that these principles have been too often lost sight of by the colonial government and its servants on the frontier. But still we must not condemn all who have preceded us for a want of good intentions, until we can show that an effectual remedy for the evils complained of was discovered, but neglected from selfish motives.

All parties who address Government or the public on this subject should now, we think, lay aside their rancour; instead of ripping up old grievances merely for the purposes of excitement or alarm, let them apply their wits exclusively to the discovery of a cure. We do not hint that this should have been done earlier, perhaps a little bitterness was necessary for eliciting the whole truth. The truth is now before us, and the mere witnesses may withdraw.

The reader does not require from us a repetition of what we have so often proposed on this subject. We are happy to observe, from the tone lately assumed by the Graham's Town Journal, that the principles we have always advocated, and the views we have endeavoured to enforce, are beginning to find a resting-place in the minds of the frontier colonists. This more than rewards us for the bitter shower by which we have been pelted ever since we ventured to promulgate them. We claim no praise for perseverance, for we knew that reason and justice would finally prevail over prejudice and personal animosity; though had we even doubted the results we would not have altered our course.

The case seems now to stand thus:—

The nation, containing, at the lowest computation, not less than 100,000 souls, is divided from us by a boundary which can be easily crossed both by men and cattle.

This nation is almost entirely pastoral, their wealth consisting solely of cattle. They are governed by numerous chiefs; but the power of these chiefs over their own people, or their influence over one another as members of a confederacy, has not been fully ascertained. It is understood to be rather slight. Now the problem is, how to live on amicable terms with these our neighbours, to prevent our being plundered by them, and secure good treatment to such of our traders as reside in or pass through their country?

The first thing to be done, we submit, is to invite the attendance of all the chiefs at some convenient spot on the border, or even within their own territory, to meet the Governor of this colony, accompanied by such persons as he may deem most likely to aid him with their counsel or advice on the occasion; to this assembly of the chiefs, the relative situation of the countries should be fully laid open, the necessity of a final adjustment of all claims and points of dispute clearly stated, and the great advantages likely to arise from an amicable intercourse distinctly pointed out. When this has been accomplished, the chiefs should be requested to take the whole case into their immediate and most serious consideration, and to appoint a day on which they will announce to his Excellency the result of their deliberations. It is not to be expected that in two or three sederunts, a complete mutual understanding will be effected; but though the negociations should extend over weeks and months, though the chiefs should have to separate and re-assemble, the Governor should not leave the frontier nor suffer the design to cool till some general articles, embracing the main points of our future policy, have been confirmed by all, or at least the major part of the chiefs; for the faithful observance of these articles, the Governor and the chiefs will consider themselves mutually bound to aid and assist each other against all adversaries, and the penalties of a violation of any of them should be clearly stated in writing and guaranteed by both parties.

By thus uniting Caffreland, we may make the nation responsible to us for the crimes of individuals, and have a ready method of obtaining redress, without committing violence or injustice by making innocent individuals suffer for the conduct of the injurious.

The articles will of course be based on the common principles of international law. The boundaries will be defined and distinctly marked, the channels of communication between the Governor and the chiefs specified, the mode to be followed in demanding redress, and of enforcing it when necessary, clearly expressed; in short, a regular formal treaty, such as we enter into with civilized nations, containing all that is necessary to be contained in such a document, should be drawn out, signed and interchanged between the parties. This being arranged, a British resident or consul should be stationed at some convenient spot in Caffreland to protect British interests, and keep open a constant communication between the chiefs and the colonial government; through him the traders should make all their complaints to the chiefs, and it will be his business to see strict justice done between them; when cattle are stolen from the colony, or any outrage committed by the Caffres on this side of the boundary, notice should be transmitted to him, and by him to the chiefs, whose business it shall be to detect and punish thieves, they themselves being bound to indemnify the parties for the actual loss sustained, and proved before a competent tribunal. In the same manner, when any injury shall be done to the Caffres by the colonists, Government

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shall be bound in the first instance to indemnify the sufferers, and afterwards to proceed against the aggressors according to law.

As we are not writing a treatise, but merely throwing out hints, we shall stop for the present.

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Cape Town, 1 March 1836.

At the meeting of the "Association for exploring Central Africa," the Attorney-general observed, that this colony is not like many others, as New South Wales, whose exports are raised exclusively from their own soil. On the borders of this colony we have numerous native tribes, with whom we exchange articles to a great extent; hides, &c. are received from the Caffres, which are brought from a great distance beyond Caffreland. This is certainly an important advantage, and new sources are constantly discovered, from which native produce may be obtained for the European markets to an unlimited extent.

In point of time the Caffreland inland trade is only in its infancy; not many years ago the frontier was completely sealed up; yet in the course of seven or eight years, in spite of a vacillating system of policy and many untoward accidents, this trade has become one of the most lucrative and promising branches of commerce known in the eastern division of the colony. But to enable the colonists to reap the benefits of this trade, and to extend it indefinitely, the peace and prosperity of the neighbouring tribes, and more particularly of the Caffres, is absolutely necessary. Caffreland must not only be favourably disposed to our traders, it must have its full share in the advantages of the trade. Trade with a poor people must be comparatively a poor concern. If we wish to grow rich by the Caffres, we must point out to them the road to wealth.

The demand for European or colonial articles in Caffreland, as in every other country, has only one limit, namely, the means of paying for them. There is not a petty chief beyond the frontier who would not have his house, furniture, and a dress of British broadcloth, could he only find means to pay for them. They have no prejudices whatever in favour of nakedness and poverty; but his poverty is so great and the Caffre's present relation to the colony so uncertain, that he scarcely knows where to begin, or how to lay the first stone of his future fortunes. The chief is kept poor by the number of his vassals; the arrangements of their society are so loose, that any chief who refuses to pamper idleness at the expense of his own ruin, is almost sure to be deserted by his dependents; and though he himself may see clearly how his tribe may be ultimately benefited by accumulation, and a little temporary self denial, he finds it impossible to persuade his lazy kinsman to sacrifice the "marrow and the fat" of to-day for the superior comforts of a civilized life at a future period.

To strengthen the hands of the genuine chiefs indirectly, will therefore be a wise endeavour on the part of the colonial government, in laying down a permanent system of intercourse with this people.

We have already suggested (see No. 699) that our future treaty should embrace all the chiefs as a body. They are, for all practical purposes, politically considered, wholly independent of each other, and it has been no uncommon thing for an inferior chief or captain to assume independence. Those who are thus independent at present, should be at once recognized as the chiefs of Caffreland, and treated with on a footing of perfect equality; no individual among them has a right to be considered as the representative of the rest, or of any number of them, nor would it be just to make him responsible for the conduct of his independent brethren. This was the most mischievous error into which the colonial government fell in times past. Experience has fully exposed its baneful tendency, and we cannot for a moment suspect that an attempt to repeat so foolish an experiment will ever again be made. Let us suppose then that it is the object of the Government to draw all the frontier chiefs at least into a confederacy, and to form a league between them and the colony; that the members of this confederacy shall include all the chiefs occupying the territory between the mountains on the left and the sea on the right, and stretching as far back as the Kye River; they are, we believe, about ten in number; let these chiefs be bound to make good to the colonial government any loss sustained by the colonists, either from depredations committed by the Caffres within our boundary, or on British subjects trading or residing in Caffreland, leaving it to themselves to seek indemnification from the convicted thief or robber, by fine or otherwise, according to their own laws. The colonial government will of course be reciprocally bound to indemnify the Caffres for losses sustained by the conduct of our people. Each chief being thus interested in discovering the real thief or injurious party, escape or concealment, except in very trifling cases, will be impossible.

To enable the chiefs to maintain their authority, while they refuse to wink at the crimes of their dependents, we would propose, first, that an annual salary, according to the extent of territory and number of people acknowledging his sway, should be granted to each chief.

This would enable the chief to disregard the murmurs and threats of his more capricious and turbulent followers; and would give us the power of checking him in a moment, and without moving a finger, should we have reason to complain of his conduct. And further to confirm the authority of chiefs, we would recommend, in the second place, that no new chief should ever be recognized.

Ambitious individuals would feel themselves utterly unable to rival any one of these our allies, either in liberality or in the power of protecting their subjects. The further breaking

breaking down of the Caffre nation into weak and mischievous fragments, would thus be prevented.

The amount of salaries need not be great. The largest might be 100*l.* sterling, and the lowest 50*l.* They should be paid at short intervals throughout the year, say in quarterly payments, that our influence over them might never be relaxed, and that their feelings of gratitude and dependence might be frequently renewed. The whole sum would probably fall within 800*l.* per annum, a sum altogether insignificant when compared with the expenses of the present inefficient system, and still more insignificant when contrasted with the manifold advantages which could not fail to accrue to the colony from the final pacification of the frontier, and the civilization of Caffreland. We shall recur to this subject again at an early opportunity.

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Extract of a Letter from the Rev. *J. Read*, dated 17 June 1834.

I WROTE to you that I have been to Caffreland, that I had had together Macomo, Botman, and Gouga, one of the late Gaika's counsellors, and had read to them the whole of Mr. Fairbairn's plan, not excepting the proposal of money, and that they did not seem to have any objection to the plan; but they were to assemble the other chiefs, and speak over it, and be prepared to meet the Governor. I told them that it was uncertain whether the Governor would propose that plan, but that it was most likely that something of the kind would be proposed; but if they knew of anything better, they might be prepared to propose it, and I am waiting the return of James, whom I expect every hour, to hear what they have done. If they have done nothing, I will go and do what I can. Mr. Fairbairn quite understood the matter, when he recommended not to be in a hurry in treating with the Caffres, but to let them assemble again and again, and in these consultations they must have their rainmakers and doctors; they are the lawyers and bishops of the country, and they would consider a council as imperfect as an English Parliament has been considered without such persons. As to the chiefs knowing that money is proposed by Mr. Fairbairn or yourself, I do not conceive they think much about it, although I consider it important. Mr. Thomson disapproves of it; he thinks they will receive it, but not exert themselves. I think the plan should be proposed and tried; and I am inclined to think it will work well. I think if the Caffres are well treated, all will go well; they are ripe for a change, and will be ready to exert themselves. They must have an opportunity of stating their grievances; if the Governor gives this he will give them confidence, and they will be more easily dealt with.

Your first question is, "How many chiefs must be remunerated if the Governor adopts the plan?" This I really cannot say. I shall mention the different tribes and names of the chiefs as correctly as I can. The following are the different tribes on this side the Kye River, of course not including Hintza, with his divisions. I cannot give you, even roughly, the number of men connected with each division or chief; but you will find it pretty correctly stated, I am told, in Mr. Bannister's work; I have it not by me: 1. Gaika's people, including Tyalie's and Macomo's adherents. 2. T'Slambi's, called Goeoges. 3. Congo's, called Goodquibis. 4. Botman's, called Modankies. 5. Emo's, called Baroos. 6. Tzatzoe's, called Tienders.

T'Slambi's tribe, I believe, is considered stronger or more numerous than either. Umkai, the successor to T'Slambi, is a youth not much known yet; but Umkai is the active and responsible man, and known to Government.

At the head of the Ganaquibi is, first, Pato, well known in the country as an upright man; resides on the neutral territory.

Modankies; Botman is the head chief, and a responsible man.

Of the Baroos, Emo is the chief man.

Among the Tienders, Jam Tzatzoe is looked up to as the principal chief. Taking in the young chief Sandille and Jam Tzatzoe, the number would be eleven; perhaps the Governor would see proper to exclude Hintza. There is little doubt but Macomo is considered the first man at present; but if not authorized by Hintza, he would not dare to act, nor then without the advice of the other chiefs. The Governor, after seeing the chiefs, and becoming familiar with them, will be able to decide.

The money allotted to each might be in the following proportion:—

| | |
|---|---|
| To Macomo | £. 100 |
| T'Slambi's two sons | 100 |
| Perhaps Sandille and Tyalie, each 50*l.* | 100 |
| Pato, Kobas and Kama, among them | 100 |
| Botman | 50 |
| Emo | 50 |
| Jam Tzatzoe | 50 |
| | £. 550 |

This I have drawn out at random; you must think of the propriety of Jam Tzatzoe's receiving anything, also of the young king. His mother would receive the benefit during his minority—she has considerable authority; it would attach both her and her son to Government; all cases of importance are referred to her and Gaika's old council.

If the Governor agrees to permit Macomo and Botman to reside on this side of the

No. 1. Papers referred to in Evidence of the Rev. *J. Philip*, D.D. 15 June 1836.

Keiskamma, there will be no room for the Hottentots, excepting they intermix with each other.

The agent, if one be appointed, should reside among the Caffres, but not far from the boundary. I could not take upon me to recommend Fuller; he talks of what he can do, but I have never seen him do much: in all I have had to do with him he has deceived me. Whoever the person be that is chosen, he should be an active man, occasionally going to see the spoor himself, and have some trusty Hottentots to do it for him, with the owners of the cattle and those employed by the chiefs. The military should never be employed but in very urgent cases, and requested by the chiefs.

The affidavit of the boor might be taken as to the number of cattle lost, but he should have no claim except he can trace his cattle into Caffreland. I thought very little of a boor's oath; he told me that nine out of ten would take a false oath to get cattle.

I saw a letter to-day to Mr. Hertzog, in the name of the Governor, calling upon him to measure the land that I mentioned before to you, for Mr. Fuller. If that land had been given to Hottentots, from 12 to 20 families could have been supported on it; now one man has it, and there is no prospect as yet of Hennaun's, the old interpreter, for whom the change was made, taking possession of Fuller's land, near Theopolis. Perhaps the Governor was not aware, when the thing was proposed, that the land was so near our settlement.

I saw Mr. Hertzog to-day, and he is of opinion, that if the lands reserved by Captain Stockenstrom were given to the Hottentots, a considerable number might yet be accommodated.

The whole of the Kat River, from Beaufort to where it empties itself into the Fish River, ought to be lined with Hottentots instead of boors; it is in that direction where the Caffres escape with the stolen cattle. A new town, at Mr. Williams's old place, will be likewise a great check; no cattle of the boors can escape through this settlement; it would be as useful to the colony as two or three military posts. Two or three locations of Hottentots ought to be established near Blink Water. Blink Water is the river running into the Kat River, at its head, a little above Mr. Williams's old place; from that to Wilberforce is still open. Fuller will want protection instead of being a protection to that part of the country. He has already taken possession of the lands given.

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Philipton, 23 June 1834.

I HAVE just received yours of the 13th instant. I am happy that things are as they are, and bless God for it; our prayers are incessant for the Governor, that God will make him a blessing to the oppressed.

I trust the instruments preparing to wage war against liberty and justice will be destroyed, and that the propagators of false reports will be found liars.

With respect to the amount of the depredations of the Caffres in the upper parts of the Konap, we know nothing, excepting that a boor was wounded by the Caffres, which I suppose has spread terror in the neighbourhood. I dare say there may be more thefts about that quarter. I believe many of the Caffres have gone in that direction from time to time; and with respect to their guarding their cattle with guns, it is nothing more than the agreement made when they got the land. As I wrote in my last letter, every boor was to have four armed men upon the place besides himself, two to be with the cattle and two at home, and this is more necessary from the present state of poverty in Caffreland. Moreover, the inhabitants were warned by the Graham's Town Journal, to have their cattle well herded during the winter and long nights. During the last month, the Caffres have taken cattle three times from this settlement, but the thieves were pursued, and Tyalie being informed, sent men immediately to assist, so that in all cases the very same cattle were recovered, which speaks much in favor of the plan suggested by Mr. Fairbairn. If any cattle have been taken from the boors about the Konap, it is an important fact that none have gone through or near this settlement, which proves the importance of it as a barrier against the Caffres, and, as I said in my last letter, that it is equal to two or three military posts; in fact I know not of what use the military posts are, except that the soldiers make a dash into Caffreland, and take from the first kraal they see as many cattle as they think proper. In the first place, we never hear of their intercepting Caffres either going out or returning with cattle; they seldom or ever go out except when called out to rescue cattle said to have been stolen. Again, the soldiers are all mounted, and thus cannot go into bye-paths, which of course the Caffres will take, and not the common road which the dragoons must take; and they being always seen from a distance by the thieves, they can always escape them; and it may be added, the pursuers being on horseback, they cannot get or keep the spoor as on foot. Were the soldiers continually patrolling the country on foot four or six together, not more, the Caffres would be so often detected that they would give up their practice. It may be remarked also, that the distance between the military posts is far too great for the object intended. You have some idea of the space between Fort Beaufort and Fort Willshire, and some of it very woody, and there is only here and there a solitary boor's place; through this space all the cattle stolen from the boors escape. The boors there are unprotected. I was at one of these places some time ago: the boor has 6,000 morgen of land (a very improper grant to one man in such a place), and, according to the rule or agreement of lands given in the ceded territory, he ought to have had eight armed men besides himself; I saw only, and I believe there were no more, an aged father and a slave, the last contrary to law, as no proprietor of lands in Albany may have slaves.

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In my last to you, I proposed the importance of lining the Kat River, from Fort Beaufort to where it runs into the Fish River, with Hottentot locations, which was the plan of Captain Stockenstrom; the only thing against it is, that there will be a difficulty of supporting a dense population, as there is a scarcity of water at times, and of good ground, but very many would accept of it, if it was known that it was to be had. Some of the boors, I believe, are only on sufferance. I shall make it my business to ascertain the real state of the upper parts of the Konap as to Caffre depredations, but so far I know, that the boors are all busy ploughing. One of them was yesterday with David Jantjes, to hire a Hottentot to assist him, and said nothing of the Caffres being troublesome; and last week my waggon was there with corn to grind, but the people with it heard nothing of Caffres, but of the one boor who had been wounded, and of cattle taken at one more place which were recovered; but considering the present state of Caffreland next to a famine, the openness of the country, the inefficiency of the military posts as above mentioned, and the unprotected state of the boor's places, oftentimes no more than one or two armed men, it would not be surprising to find greater depredations taking place. To get that part of the country properly inhabited and defended will be one important part of the Governor's work when he comes to the frontier.

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Sir, 27 June 1834.

I HAVE the honour to acknowledge the receipt of your Excellency's communication of 22d June, and to forward, for your Excellency's information, the last intelligence I have received from the frontier having a reference to the Caffres. The first extract contained in the enclosed paper is taken from a letter from the Rev. John Monro, the missionary in the service of the London Missionary Society at Graham's Town. By the same post I received a letter from Mr. Read, but in that letter no notice is taken of any stealing by the Caffres, or complaints from the colonists. The second extract is from a letter of Mr. Read's to Mr. Fairbairn, which he put into my hands, and from which the extract is taken.

It is unnecessary for me to make any remarks on the above extracts; they may, however, be of use to your Excellency, as they indicate the feelings of the writers, and show how much may be done by the chiefs.

Your Excellency will perceive that Mr. Read considers the present distress of the Caffres to be partly owing to the old commando system, and that the continuance of that system can do nothing to better their condition, unless sending them out of the world will have that effect.

To his Excellency
Sir Benjamin D'Urban, K.C.B.
Governor and Commander-in-Chief,
&c. &c. &c.

I have, &c.
*John Philip.*

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Sir, Philipton, Kat River, 10 October 1834.

IT has been often and truly remarked, that it is a much easier thing to point out existing evils than it is to discover and apply the remedies necessary for their removal.

Malthus, after having alarmed the British nation with the dangers to be apprehended from the ratio at which population was increasing in the country, on being asked for a cure for the evil he so much deprecated, recommended that a Homily should be composed on the subject, and that it should be read in every parish church once a year as an antidote against early marriages.

When requested by your Excellency to furnish you with a remedy for the evils of the border system, I felt myself somewhat in the predicament of the above-mentioned philosopher. I had paid more attention to the cruelties and injustice of the system than I had done to the means by which they might be remedied. After having revolved the subject in my mind, and when I had conversed with Mr. Fairbairn upon it, I recommended the plan proposed by that gentleman in the Commercial Advertiser. With that recommendation, and the two papers containing the plan in question, I presented to your Excellency some additions and illustrations. But I was not even then satisfied with what I had done; and to obviate, as far as possible, the difficulties attending the subject was the object of my present journey to Caffreland. During this journey I have conversed very freely and fully with the missionaries and with most of the principal Caffre chiefs on this particular point; and the courteous manner in which your Excellency received my former communications on this subject, encourages me to hope that you will receive favourably any additional information, and my more mature opinions thereon.

If the colonial government is to exact from the Caffre chiefs cattle for all those alleged to have been stolen from the colony, the facts and particulars of the theft should first be ascertained; and I am sorry to say that neither the declaration, nor even the oath of the complainant is sufficient for this purpose. The above method was once adopted at Graham's Town by the commissioner-general in the distribution of between 2,000 and 3,000 head of Caffre cattle among the boors; and he afterwards remarked that, from the little regard paid to the sacredness of an oath among his countrymen, he exceedingly regretted that he had received theirs on that occasion. Evidence should be called for, and the servants should be summoned and cross-questioned before such claims should be allowed. The Appendix will show your Excellency how little reliance is to be placed upon the word of many of the frontier colonists, and to what extent the present system is liable to be abused to the injury of the Caffres.

No. 1.
Papers referred to in Evidence of the Rev. *J. Philip*, D.D. 15 June 1836.

On the 25th instant Colonel Somerset visited Fort Wiltshire. He was there met by Macomo, Botman, Tyalie, the brother and son of Enno, who had been previously summoned to attend him on that occasion. The colonel, on opening the business of the meeting, stated that he had received a letter from his Excellency the Governor relating to the frontier affairs, which was the occasion of his having called upon them to meet him at that place.

He then proceeded to state that he had to acknowledge 130 head of cattle and 70 horses, which had been restored to the colony by the chiefs, but that there were 480 head of cattle still wanting, which he requested them to collect and send into the colony as soon as possible. He further stated, that the boors had applied to his Excellency the Governor to be allowed to go into Caffreland, on a commando, to recover the 480 head of cattle in question, and his Excellency had positively refused to comply with their request, stating that it must be settled in an amicable manner. Macomo, in reply, expressed the sense of obligation he felt to the Governor for having prevented the boors from coming into Caffreland on a commando for the object stated: but he added, at the same time, that he had done his duty, that there were no colonial cattle among his people, and that he could not see on what principle the colonial government could require more of him than he had already done. Macomo stated to me that he was confident that more than 130 head of cattle had been returned to the colony; and he remarked to the commandant, that he had stated only the number of cattle sent into the colony by the chiefs of their own accord; and that if he would add to that 130 all the cattle taken by the boors on their private commandoes, and those taken by patrols in lieu of those said to have been taken from the colony, he would find that more cattle had been restored to the colony than had been reported as stolen from it. The commandant, in reply, remarked that there were three boors, Hans Lee Lang, Piet Erasmus and Louis Lombard, who had reported to him commandoes they had made into Caffreland to recover stolen cattle; but on that part of Macomo's statement, in reference to the cattle taken by the patrols, he made no remark.

It is difficult to say on what ground Colonel Somerset made this demand on the Caffre chiefs. If his estimates were taken from the lists of the civil commissioner, showing the number of cattle said to have been stolen from the colonists, and compared with that containing the number of cattle returned to the colony by the Caffre chiefs, including the cattle taken by private commandoes and by the patrols, the probability is, that could a balance be struck between those actually taken from the colonists and those given up by the Caffres in place of them, that the colonists would appear to have received many more cattle than they have lost. Granting that some colonists have actually lost cattle, and received no remuneration for them, this is not a proof that the cattle missing were stolen by the Caffres.

Cattle may be lost in a variety of ways. The colonists may, at times, steal cattle from each other; cattle have been taken from the Kat River for which the Caffres have been blamed, and the same cattle were afterwards found in a boor's waggon in Graham's Town. In many cases that have come under our observation, the number said to have been lost has been greatly exaggerated; and it has not unfrequently happened that the colonists have traced their stolen cattle into Caffreland, and after having recovered them, or a greater number of cattle, which the Caffres have been willing to give them to escape a visit from the military, they have afterwards gone and obtained a patrol, by which a second seizure of cattle has been made, as appears from the cases of Scheefrers, Bowles, Lambaud, and of William Valentyn, related in the Appendix.

Since writing the above, the following circumstance has been mentioned to me by the Rev. Mr. Kolbe, the missionary of Philipolis, that furnishes us with a case in point. About a day and a half's journey beyond Philipolis the draught oxen belonging to the expedition, to the number of 50, disappeared, and the travellers had not a single one left by the waggons, and Dr. Smith supposed they had been stolen by the Bechuanas. Hendrick Hendreeks, the son-in-law of the Griqua chief, Kok, went out in company with Captain Edie in search of the cattle. Hendreeks did not, however, take the captain to the Bechuanas, but to the herds of the boors, and the whole of the cattle missing were found, not in the possession of one boor, but distributed among the herds of several of them. In support of the above facts many other cases might have been stated; and I have the testimony of Captain Stockenstrom, the late Commissioner-general of the Eastern Province, to the same effect, and the value of his authority is greatly enhanced by the consideration that he possessed the best means of information upon the subject, that he is by birth a colonist, and under no temptation to give an unfavourable opinion of his countrymen.

To what extent this system of fraud and extortion has been carried by the colonists it is impossible to say, but there is reason to fear it has taken place in far the greater proportion of cases of this nature; and to find a remedy for it is the chief thing to be aimed at in any future arrangement for the settlement of the affairs of the Caffre frontier.

It has been asserted again and again by the frontier authorities, and by several individuals upon the whole friendly to the Caffres, that the thefts perpetrated upon the colony could not have taken place without the connivance of the chiefs, and that it is in their power to prevent thieving.

From the influence this opinion may have on the Government in the settlement of this question, and the influence on any new relations into which the Government may enter with the Caffres, I have during this journey taken considerable pains to ascertain the ground on which it exists, and I have no hesitation in saying that it does not appear to me to have any solid foundation to rest upon. My own opinion on the subject accords with the best informed missionaries in the country, who have assured me that, from the quantity of bush in Caffraria, from the numerous and well-wooded ravines with which it is intersected,

sected, and the practice of thieves who travel by night, and conceal themselves and the stolen cattle by day, that cattle may be stolen and carried through the country without its being possible for the chiefs to detect them.

I have the authority of the missionaries for stating that the chiefs frequently find the hides and horns of their own cattle in the hands of the traders, without being able to discover the persons by whom they had been stolen. I am happy to inform your Excellency that I have not seen or heard anything on my present journey to induce me to detract anything from the character given of Macomo.

Mr. Brownlee, the missionary at the Buffalo River, and others of the missionaries who have known him, and had the best means of judging of his conduct for many years, consider him as having been unjustly slandered by individuals from whom he should have received the highest praise, and unite in one opinion that few could have done more than he has done to prevent the Caffres from stealing cattle from the colonists, and to deserve the good opinion and confidence of the colonial government.

In No. 6 Appendix will be found copies of receipts for stolen cattle restored by him to the colony without solicitation; and, as a decisive proof of his integrity, it is necessary only to mention that the Caffres are as anxious to conceal their thefts from him as they would be to conceal them from a colonial authority. Whether the principal agent may have a residence assigned him in Caffreland, or within the limits of the colony, there are many things in the situation and character of Macomo which make it desirable that he should be near that chief. His integrity, his active habits, his desire to cultivate the favour of the colonial government and the power he exercises as regent of the country, makes him the most important person among the Caffres for your Excellency's purpose.

Should your Excellency think proper to indulge the Caffres with the privilege of grazing, planting and sowing on the grounds on the colonial side of the Keiskamma and the Chumie, from which they have lately been driven, it will perhaps be well to mark out the particular part of the country which may be assigned to Macomo as near as possible to the place which may be fixed on for the residence of the agent, in order that the agent may have it in his power to be in constant communication with the chief. In addition to the constant vexations to which Caffres have been subject by the patrol system, on various occasions commandoes or patrols have entered their country under the pretence of seizing all the horses and colonial cattle found in it, and the Caffres have lately been threatened with a commando of this nature. Whatever may have been pleaded in former times in defence of such a measure, from the manner in which the patrol system has been so long carried on, and from the alteration to which that system has given rise among the Caffres, and from the system of free trade in which they have been so long engaged, it is obvious that such a method of repaying the colonists for their alleged losses could not now be had recourse to with any shadow of fair dealing.

At an early period of our intercourse with the Caffres they had no horses of their own; but they are now in the habit of purchasing horses, and, in some instances, of breeding them for their own use. It is, moreover, known, that there are many head of cattle in Caffreland that have been stolen by the Caffres, and for which the colonists have been indemnified by the Caffre cattle, and which have been seized by the patrols, and given to the parties who have reported losses. Such cattle having been paid for in this way, it is submitted to your Excellency's consideration whether the colony can have any more claims upon them. Besides the colonial cattle which have been accumulating in Caffreland in this way, there are to be found many cattle in that country for which the Caffres have exchanged their own with the missionaries, with the traders and with travellers, of which the Caffres cannot be deprived on any principle of justice. In addition to the means already mentioned, by which the Caffres have come to possess cattle "formerly belonging to the colony" in an honest way, we may add, that there are Caffres in their own country who have obtained them in the shape of wages for terms of services they have rendered to the boors, and others of them who have got them by exchanging their own cattle for those of the frontier boors.

From the foregoing reasons your Excellency will perceive that the measure we now deprecate cannot be carried into practice without a compromise of the principle of justice and of the honour of the British Government.

On a full consideration of the subject, it appears to me that the affairs of the frontiers of the colony can never be placed upon an equitable and peaceable footing, unless any agreement the colonial government may enter into with the neighbouring chiefs be reduced to writing. Hitherto the Caffres have never known on what terms they stood with the colony. It was formerly the practice of any new governor to change the system of his predecessor in office, and it has not unfrequently happened that the first change has only been the first of a series of experiments, and this vacillating policy has greatly aggravated the evils it was perhaps humanely intended to remove. A single example on this subject shall suffice.

In the various encroachments, from time to time, on their territory, the Caffres have never once been consulted; the officer in command for the time being has altered what has before been considered the limits of the colony, and issued his orders; and it has been remarked, that the time fixed upon for the execution of those orders was generally in the season of harvest, and attended by the destruction of their crops.

While these affairs are conducted without a regular and written treaty, such scenes will be constantly recurring, their minds will be continually harassed, and civilization impeded by the uncertainty of their situation, and they will remain a prey to the rapacity and caprice of the colonists.

No. 1.
Papers referred to in Evidence of the Rev. *J. Philip*, D.D. 15 June 1836.

The practice of the colonial government as to the manner in which it gives permission to colonial traders and others to enter into Caffraria without consulting the chiefs, while it prohibits the Caffres, and even the chiefs themselves, from entering the colony without written permission from the local authorities of the colony, calls for some remarks. The manner in which these permissions are granted to the colonists on the one hand, and those restrictions are enforced on the other, is extremely humiliating to the Caffres, and it is a practice by which no beneficial purpose can be answered.

The first is the least important of the two; but it is an assumption of authority on our part which aggravates the irritating system of exclusion under which they are placed.

They see a great number of traders entering their country, and passing through it, by the authority of the colonial government, while they are liable to be apprehended and carried to a military post, and treated with the greatest indignity, for setting their feet across the invisible boundary line which separates their country from the colony.

So recently as the 8th of October 1833, Macomo was arrested at a missionary meeting at the Kat River, and to which the missionaries had invited him; he was thence conducted by armed soldiers to the post of the Chumie, and threatened to be shot dead if he made the least attempt to escape from their hands.

Such was the treatment that one of the first chiefs of Caffreland received from one of our military authorities; and this happened at a time of profound peace, and to one the greater part of whose time was occupied in protecting the property of the colonists.

The moment selected for offering the chief this insult was at the conclusion of an excellent speech delivered by him in favour of the missionary cause; and such was the rudeness of the persons who arrested him, that Mr. Read, the missionary, from a concern for his life, which he supposed to be in danger, accompanied him to the military post; and it was with difficulty he succeeded in preventing the officer by whose orders he was arrested from consigning him to the common guard-house, as if he had been a felon. No reason can be assigned why the Caffre chiefs may not give passes to Caffres to enter the colony; they have a deeper interest in preventing theft being committed by their people on the colonists than we have.

But whatever objections the colonial government may have to allow the chiefs to extend this right to the people, against allowing the chiefs the privilege of entering the colony at pleasure, nothing can be urged having in it the shadow of an argument; and the prohibitions under which they are laid can proceed from nothing but a spirit of contempt for their persons and for their authority, and it shows a total disregard to all that is due to their rank and to their feelings. This kind of interference with their authority has been carried so far, that on a late occasion, when one of the Glasgow missionaries at the Chumie wrote a letter, justifying the conduct of Tyalie in an instance in which he had been wronged by the chief on whose ground the institution stands, Captain Armstrong, who commands the military post, sent him a humiliating declaration, which he requested him to sign, accompanied by a threat that if he would not make the concession dictated to him, he would take steps to have him removed from his situation in Caffreland.

I should feel that I had been guilty of an omission on the present occasion, were I to neglect to call your Excellency's attention to the respect which the Caffre chiefs have a right to look for from the frontier authorities, and to their complaints on this subject. The Caffres are a high-spirited people; they have always prided themselves on their independence; and they often complain of being treated by many of the officers and others without the consideration due to their rank.

It is painful to observe how easily and imperceptibly even many well-bred Englishmen imbibe the colonial prejudices against the natives of the colony, and to remark how often they drop all the ordinary marks of common civility towards them. The natives being treated with contempt by others, the newly-arrived officers begin to feel as if they deserved nothing but contemptuous treatment; and when they have once began to despise them and treat them ill, it becomes a habit with them, which is as injurious to themselves as it is to those they esteem beneath them. Unable at last to distinguish what is essential to man from what is adventitious only, they adopt a false standard of judgment, and confound all distinctions of right and wrong. Because they happen to be Englishmen, many suppose themselves as much superior to the most elevated men amongst the Caffres as England is superior to Caffraria, while in reality they, as individuals, are as much inferior to the men they despise. It is perhaps from these and other causes that such men as Macomo have been treated in the manner of which they justly complain. It is not denied by them but that they have been occasionally treated in a courteous manner; but that courtesy having been put on only when a purpose was to be served by it, has made them feel more deeply when they have heard themselves called "black rascals," and other opprobrious names. I have heard them more than once speak with indignation of their treatment at Fort Willshire, in being kept without the fort, and having soldiers' rations sent to them when they had been summoned to the fort on colonial business.

Common civility is a cheap thing; it is due to all men; it has a great influence on the affairs of men and of nations; and I am confident the subject has only to be brought under your Excellency's notice to produce a correction, to a certain extent, of the evil complained of in this instance.

It is unnecessary to remark to your Excellency that it would be well to confer some marks of respect on those chiefs who have always acted honourably towards the colony; if they be made to feel that their services have been justly appreciated, and if they are, at the same time, assured that such conduct will always meet with the approbation and support

support of Government, it will have a beneficial effect on the chiefs themselves, and it will encourage them in their efforts to do well; and it will have a tendency to promote a sense of justice and honour among the Caffres in general. Owing to causes I need not now explain, the reverse of all this has, in too many instances, been the case. Before concluding this letter, which is already long enough to exhaust your Excellency's patience, your Excellency will excuse me if I add a little to its length by a few more general remarks which have occurred to me since I have been in this part of the country.

The difficulty of receding from a system so very vicious in principle as that which has hitherto been acted upon on the frontier of this colony, and the introduction of a better must, in the first instance, be considerable; and to give the new system a fair trial will require much time and much attention to its workings.

Such will be the opposition offered to an equitable mode of dealing with the Caffres, and such is the strength of the parties interested in supporting the abuses of the old system, that it will require the greatest firmness on the part of the colonial government to resist the tide which will be continually rolling in against any plan of mutual protection which has for its basis the principles of justice, so long as a hope can be entertained that it may be set aside by falsehood and clamour. We shall be told again and again that it will ruin the colony; that the frontier settlers will be obliged to abandon their farms, and many of those within the colony will make use of the losses they will pretend to have sustained within the colony as a pretext, as has been the case, for living among the men they now designate as nations of thieves beyond the colonial boundary. While it may be necessary, in reply to such allegations, to make the colonists sensible that the Government will do everything practicable to protect them and their property, they should, at the same time, be given to understand that unreasonable and unjust demands cannot be complied with.

The manner in which our Indian government protects the property of its subjects along the extended frontier of our eastern empire has been already alluded to in a former communication to your Excellency, and the following statement I have received since I have been in the country from Charles Bradford, Esq., of the H. E. M. service, shows that the continuance of the old system is not necessary for the protection of our frontier colonists. A part of our territory in the East Indies, adjoining the country of the "Nizam of Hydrabad," had been for some two or three years, till lately, much infested with robbers and marauders of a most determined character, who at times entered the Company's country in large bands of 50 or 60, and plundered travellers and whole villages, escaping with their booty into the Nizam's dominions, or concealing themselves on the frontiers of the district of Musulapatam, where these robberies chiefly take place. The method adopted to check these incursions was solely entrusted to the civil police, under charge of the magistrates of the district where these thefts take place. A considerable body of police was kept constantly on the watch to trace, by every means in their power, the depredators, and to bring them to punishment, pursuing them, when a clue was afforded, into the Nizam's territory, who, on his part, from the political relations existing between his government and our own, used every exertion to check the evil, both by his own police, as also by employing his troops as a guard on his frontier; thus by the combined vigilance of both governments protection was afforded and the evil quickly put down; but in no instance could any subject, either of the Nizam's or of our own, be permitted to suffer barely on suspicion; and it was deemed highly inadvisable to employ any military force on our side, the civil police being deemed far more efficient for the duty as well as being more safe. As a further corroboration of the practicability of the scheme proposed, I may add, that previous to my departure from Cape Town last August, I had several conversations with Sir Edward Ryan, the chief justice of Bengal, on this subject, and that all the information I received from Sir Edward was confirmatory of the above statement, and in unison with my views as to the desirableness and necessity of the introduction of an equitable system in our relations with the frontier tribes.

Whatever difference of opinion there may be among our greatest writers on international law as to the origin of that science, there is but one opinion common to them all as to the foundation on which it rests. Grotius fully acknowledges the obligations of religion; Puffendorf, Vattel and their school assume natural right as synonymous with the law of nations; the work of Puffendorf is, in truth, a discourse upon moral philosophy. We will not lose ourselves in metaphysical discussion of the origin of moral sense, or of the natural foundation of the principles of equity, but we hold that the same law is binding upon men united in nations as upon each individual person. This is, among Christians, that law of God which is the foundation of honesty and honour, the same motives being more or less derived from religion which deters a man from wronging his neighbour as condemns him when he joins in an injury on another State. Men should always remember, that though they may act in a body, they will be judged hereafter man by man. The difficulty of treating the Caffres on the principles of international law are, I am sorry to say, with us and not with them.

Many of the abettors of the old system say you must not reason with the Caffres; they are plausible, they are cunning; it is impossible to reply to them if you enter into argument with them; and what is the amount of this confession? What these men ascribe to cunning, to plausibility and to the power of making a bad case look like a good one, we must ascribe to a more intelligible reason, and to a principle more honourable to the Caffres. Such a compliment paid by men who boast of their civilization to a people they despise as barbarous, if not savage, must be considered as a tribute of no mean value to the justice of their cause.

To say that a tribe or nation is not in circumstances to be treated with on the principles

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of international law, is to assert that they are not in a condition to be treated with on the principles of justice; and this cannot be affirmed of any people. Justice is a debt which individuals and nations owe to one another, and from the duties of which nothing can exempt them. No State ever perished by following the rules of justice in its dealings with other nations or with its own colonies; but how many have been ruined by neglecting them. It has been alleged by eminent men as an apology for the injustice with which barbarous nations have been treated by civilized colonies in their neighbourhood, that the difficulty of treating them with justice and moderation has arisen from the defective state of society among them, rendering it impossible to bring them to observe and act on the principles of international law. The history of this colony and the tribes which it has successively exterminated or driven from the lands of their fathers, and of the condition of the tribes now on its borders, give no countenance to this opinion. The guilt of injustice and unprovoked aggression rests with the colonists and the colonial government; and at this moment there are no obstacles to the establishment of a just and equitable system on our frontiers but those which arise from the insatiable avarice and rapacity of the colonists.

I am satisfied that the plan recommended will be attended with a reduction of the expense occasioned by the present system; but if the converse of the position should hold to be true, I do not see that it would furnish any valid objection to what is recommended. Europe would be shocked at a proposition made to begin and extend colonies in any part of the world by the extermination of the aboriginal inhabitants of those countries, and to hear it gravely recommended on this principle, that it would be the cheapest mode of colonization; and I can see no difference between the adoption of such a principle in the commencement of new colonies and the conduct of a government that may continue to act upon it in colonies already established.

When the subject shall be fully laid before the British Government by your Excellency, His Majesty's ministers cannot long hesitate on that point. The British Government and the British nation have lately sacrificed much to principle in the abolition of the slave trade and in the abolition of slavery; and the nation which has been prodigal of its millions to save the coasts of Africa from the ravages of the slave-traders, and to redeem her sons from the evils of slavery, cannot, on the ground of expense, sanction the continuance of a system that must, in the course of time, destroy more lives and give rise to more misery on this ill-fated continent, than Africa has yet suffered by the slave-trade and by the slavery of her sons.

It may be alleged that were England to withdraw its military from the Cape, and to leave the white inhabitants to defend themselves, that the present system would still go on. So far as the dispositions of the white inhabitants are concerned this reasoning is correct, but the Cape of Good Hope, left to its own resources, could not, whatever the inclinations of its rulers might be, carry on this system to anything like its present extent. The colony, left to itself, would very speedily be compelled to concentrate its inhabitants and to narrow its frontier boundary line. The consciousness of its own weakness would, in a short time, oblige it to conciliate where, in present circumstances, it uses no weapons but those of coercion and destruction.

But this argument is of itself untenable. It was used to prevent the abolition of the slave-trade and of slavery; but England disregarded it; nor does she now, with the facts before her that other nations have not abolished the slave-trade, and that no other country has yet followed her example in the abolition of slavery, repent that she has washed her hands from those foul national blots. The more deeply I reflect on the subject, the more I am satisfied that your Excellency must make your stand on the high ground of principle. Everything may be done to please the colonists consistent with justice; but as no medium has yet been found between justice and injustice, nothing should be admitted into the frontier system not approved of by the laws of equity and the universal conscience of man.

Much has been said and will be said of the thieving of the Caffres and the other tribes on the eastern and south-eastern frontier. On the northern frontier, thank God! this is a charge which no one can bring against the Griquas, on whom the missionaries have fortunately had time to try the effect of missionary labour before they came in contact with the colonists; but I can attach very little credit to the accusations, and I have no sympathy with the complaints of the colonists of the eastern frontier of the colony, while I see them by hundreds passing the boundaries and spending the greater part of their time, with their families and flocks and herds, among the very people whom they are in the constant habit of accusing of stealing their cattle, while they live within the bounds of the colony. There are now I believe (and I make the statement from information I have received since I have been on the frontiers of the colony) about 1,500 boors, with their families, flocks and herds, beyond the bounds of the colony. Now if the tribes beyond the colony are the thieves they represent them to be, how does it happen that they choose to live among them, and prefer a residence among them to a residence within the bounds of the colony? Are those tribes more disposed to steal from those with whom they are in friendly relations within the colony than they are to steal from those who are in the midst of them, who are depasturing their country and destroying their game, and not unfrequently, when the boors are in numbers together, shedding their blood. On a very low calculation, 1,500 boors cannot have fewer cattle and sheep with them than 1,500,000; and how do they preserve their immense herds and flocks in a country where they have no field-cornets, no military posts to assist them in recovering stolen cattle? There is but one answer that can be given to this question. They watch over their flocks and horses, and take proper care of them; and if they would take the same care of their cattle within the limits of the colony that they do beyond it, your Excellency

would very seldom hear of cattle or horses having been stolen from the colonists. Though they received their farms on the borders of the colony with an express condition that they should keep armed men to watch over and defend them, as has, I believe, been already stated, it is notorious that their herds of cattle and their horses are often left by themselves for days together without any person near them. Let them build secure kraals to protect their cattle by night, and let them employ persons to accompany them and protect them by day; and this they will do when they know they can obtain no more cattle than they lose by them, and that they will occasionally be constrained to pay a severe penalty for their neglect; and their cattle and horses will then be as safe on the borders of Caffraria as horses and cattle, not more than half a century back, were in some parts of our native land.

The demoralizing effects of the present system on the minds of the colonists may be seen in the two cases in the Appendix, of the two Hottentots who have been convicted of an attempt to profit by this system of injustice, which has been so long practised by the boors against the Caffres. It is to the honour of Mr. Read, that his sense of justice prevailed in these two cases over any partiality he might feel in favour of the Hottentots, and his zeal for the fair reputation of the Kat River settlement; and I am happy to say, that the conduct of these two men in the instance related, has not ceased to be looked upon as disgraceful among the people of this settlement. But it would betray a great ignorance of human nature to suppose that the present system can be continued without extinguishing among the Hottentots in general any sense of disgrace they now attach to such conduct. Where such an enormous bribe as that system holds out to falsehood can be obtained by telling lies, there is no nation on earth so pure as not to be liable to be corrupted by it; what a fearful havoc would such a temptation, could it be embraced with impunity by the great body of the English nation, make upon the morals of our countrymen in the course of a few years. The effects of the present system are too obvious to require any lengthened comment. Could such a system as that which has so long disgraced this country, be introduced and acted upon by the natives of Europe in their conduct towards each other, it would soon obliterate from their history any traces of their present civilization, lay desolate the fairest portion of the globe, and extinguish all our hopes of the improvement of the human race. One of the principal reasons that so little has hitherto been done to put an end to this system, may probably have arisen from the apparent hopelessness of being able to find a remedy for it. Many good men have been accustomed to look upon it as they look upon the plague, as an evil for which there is no cure, and they turn away their eyes from it as they do from a visitation of the Almighty, when he rises in his wrath to chastise a nation for its crimes.

In the course of my remarks, your Excellency will perceive that I take a very different view of this subject; and if your Excellency have by any means come to the same conclusion, I doubt not but that your exertions will be crowned by the most pleasing success, and place your name among the names of those who have been the greatest benefactors to the human species.

I have, &c.

To his Excellency
Sir Benjamin D'Urban, K.C.B.
Governor and Commander-in-Chief,
&c. &c. &c.

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## APPENDIX.

One of the offenders, the field cornet Valentyn, is a relation of his family, a full cousin of his wife; perhaps it might be well for your Excellency to make some inquiries of Mr. Read.

P. S. Since writing the foregoing letter, I have heard that Colonel Somerset has been at the Buffalo River, and that he there stated, that if the 480 head of cattle which are said to be still wanting to make up the number of cattle due to the colonists are not made up by the chiefs, that a commando will enter Caffreland with a view to make up the deficiency. It is submitted to your Excellency, whether it would not be desirable to investigate this claim, before the military are authorized to make reprisals upon the Caffres in this manner.

The list of the civil commissioners might be called for. It might be ascertained by whom the cattle in question have been lost; to whom they at first reported their losses; what evidence they produced along with their reports, as to the reality and extent of the losses, of which they complained, and what proofs they had that their cattle were stolen by the Caffres. In an investigation of this kind, it would also occur to your Excellency to inquire, whether any of the parties demanding cattle did not go upon the spoor or traces of their cattle, and whether their losses had not been previously compensated by private arrangements with the Caffres, or by cattle taken by the patrols. The cases of the two Hottentots Schupens and Bowles, in the Appendix, show that caution in admitting the claims of the colonists for cattle is not unnecessary.

The whole system requires to be examined into, and your Excellency might, by an examination into the grounds of the claims now preferred, get much light upon it, and ascertain how far the present claims is to be insisted on. At the moment at which it is proposed to enter into a new treaty with the Caffres, it will be well to prefer no claims against them but such as they in their consciences may be brought to approve of. If no other plan can be thought of to bring about an amicable settlement of this affair, I would suggest to your Excellency whether it might not be settled by arbitration; two or three

No. 1. Papers referred to in Evidence of the Rev. *J. Philip*, D.D. 15 June 1836.

persons might be appointed by your Excellency, and the Caffre Chiefs might appoint two or three on their part to meet the commissioners appointed by your Excellency, and their decision might be considered as final. The chiefs Tzatzoe and Kama might be very eligible persons to represent the chiefs; both are Christians and reasonable men: or they might appoint one or two of the missionaries in Caffreland as their representatives. Such a plan for settling this matter might be a very good introduction to the new plan proposed for settling in future the affairs of the colonial frontier.

It might also be worth while to ascertain, whether part of the 480 head of cattle are not part of a balance brought over from a former year's account, and in that case the excess of cattle taken by Schupens and others of his occupation might be deducted from it.

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Case of the Caffre Traders, Bowles and Stubbs.

EARLY in September 1834, a disagreement took place between the chief Kuenka and some of the chief T'Slambie's tribe, in consequence of which Kuenka permitted his people to go to a kraal of T'Slambie's tribe and carry away 40 head of cattle; these cattle were in a kraal in which the traders Bowles and Stubbs had placed some of their cattle, and which formed a part of the 40 head driven away.

On passing the house of the trader Bowles, his people recognized the cattle as belonging to him, but the drivers paid no attention, but continued driving onwards about five miles, when some of Gaika's tribe also recognized the cattle as the property of the traders, seized them and delivered them over to the men of the kraal whence they were taken, who had been following in the rear, and who immediately drove the cattle back again to their original kraal.

Stubbs and another Englishman (whose name is supposed to be Page), some two or three days after this transaction, went to Soutoo, the present head of the late Gaika's tribe, and complained that Kuenka's men had stolen 100 head of cattle from them, and threatened that if restitution was not immediately made, they would send into the colony for a commando.

On this, Soutoo sent a commando, accompanied by one of the Englishmen, against Kuenka's kraals, and seized 400 head of cattle. In this affair resistance was made and six men were wounded. The Englishman was directed to examine the cattle to see if any of his own were amongst them, but not finding any, he demanded 100 head in place of those he had asserted to have lost. This was complied with, and on driving them away he left 26 head at the kraal of Bowles. Kuenka's people, after this had passed, went to Soutoo and stated that the 40 head of cattle which had been taken from the kraal of Bowles and Stubbs, and which had given rise to the whole of this affair, had been returned on the day on which they were first taken. Soutoo hearing this, applied to Bowles to return the 26 head which had been left at his kraal; the case was also represented to the chiefs Tzatzoe and and Macomo. The latter wrote to Mr. Bowles to the following effect:—

Sir,—I would beg you to be kind enough to give back the cattle of my people from five kraals, as I have investigated the case and found them all innocent.

I am, &c.
Captain *Macomo*.

To this note Mr. Bowles thus replies:

Sir, Macoon, 5 Sept. 1834.

I have just received your note at the moment I was going to Graham's Town, to report to Colonel Somerset respecting my cattle that have been stolen from this place, under care of Foomo. There were from 70 to 80 stolen, of which number I am now eight short, exclusive of what were stolen belonging to Foomo and his people; all that I have as yet received for payment, are—

| | |
|---|---|
| 8 | young heifers |
| 5 | do. buils |
| 10 | old cows |
| 3 | young heifers |
| 3 | calves |
| 29 | |
| Of which, two cows and one calf since dead, 3 | |
| 26 | |

Since I have been at this place, I have had my cattle repeatedly stolen, and this is the first time I have been able to detect the thieves, therefore I am determined to report the same to Colonel Somerset, and will prosecute the delinquents as far as the laws of the country will allow.

Yours, &c.
(signed) *Wm. Bowles.*

Mr. Bowles here states, that this is the first instance in which he has been able to detect the thieves that have in numerous cases stolen his cattle; whereas about a year ago one of his oxen was stolen, the skin and horns were discovered in a store kept by a person in the

the employ of Mr. Southey, who pointed out the Caffre from whom they were purchased to Mr. Bowles, who received from the thief no less than 10 head of cattle, according to Caffre law, in place of the one he had lost; this case was represented to the chief John Tzatzoe, who together with the chief Macomo has given the heads of this transaction.

The return of ten oxen for one that had been stolen, together with many other instances of the like kind, in which Bowles has received compensation for the identical cattle lost, evince what degree of credit may be attached to his assertions.

His letter also is worthy of comment. He commences by saying that there were from 70 to 80 head of cattle "stolen; that of this number there are still eight short." He then goes on to say that he has only received 26 head altogether. Now if he has only received 26 head in return for the lowest number, viz. 70 lost, there would be still due to him 44 head of cattle, instead of the small number of eight, of which he states himself to be still minus; and it is not to be supposed that, if his statements are true, he would thus sacrifice 32 head of cattle; and it may be proper also to add further, to show the character of this man, as may be seen by the preceding statement, that the 40 head of cattle taken from the kraal, in which his cattle were by mistake, were all returned to the same kraal before this complaint was made to Soutoo.

This case is only important as it illustrates the character of the traders and their accusations against the Caffres.

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STATEMENT of the Caffre chief *Botman*, made at the Rev. Mr. *Keyser's* Missionary Station on 1 October 1834.

AT the time of the last new moon, a patrol consisting of 20 mounted soldiers, under the command of an officer named Ross, with another officer and a farmer from the colony, came among my people and charged them with having stolen 10 head of cattle, whose track it was stated was traced to the kraal of a Caffre captain named Ghambo.

Botman, on hearing of their approach, fled to the wood for protection; and the officer, Ross, cocked his gun and presented it at the head of some of my people, and threatened to shoot them unless they immediately brought Botman to him. The soldiers seized Ghambo, fastened a thing round his neck, and brought him in this manner to the house of the trader, James Baker, and kept him tied in this manner from the morning until the evening.

The assagais of several of my people, who were quietly seated on the ground, were taken from them and carried away by the soldiers, and several of my people were beaten on the head and shoulders with the sticks of the assagais by the officers and soldiers; cattle to the number of 47 were then seized and taken away by the patrol; and after they had left a message was sent with a soldier that I must send 20 head more, with which I complied.

The 10 head of cattle stolen from the farmer had been stolen by a stranger, who had recently come to reside among Ghambo's people, and the farmer had come the day before to my place, when the cattle he had lost, with 10 others, were offered to him, but this he refused.

After the Caffres were driven out of the Mankasana in the month of September 1833, patrols were repeatedly sent by Lieutenant Gardner, who commanded at the Chumie post during the absence of Mr. Armstrong at the Cradock River, to ascertain if there were any Caffre cattle feeding on the colonial side of the boundary.

On one occasion the patrol discovered a herd of cattle grazing near the Mankasana, took possession of and drove them to the post. The officer gave notice that any person of the settlement who could discover amongst the herd any cattle that he might have lost should be permitted to drive them away. One man, encouraged by this offer, came forward and claimed a bull he found in the herd; another Hottentot, named Foree, claimed a cow, which was afterwards found to be one that he had some time previous given to a Caffre in exchange for an ox; another Hottentot, named Hendric Trumpeter, who had lost five calves, supposed to have been taken away by the Caffres, claimed four or five cows as his property. On Captain Armstrong's return to the post the whole affair was investigated, and the Hottentot, Trumpeter, acknowledged that the temptation had induced him to make a false claim, in hopes of getting the cows.

In the month of April 1834 some cattle, whose number were said to amount to 32 head, were missing from one of the locations at the Kat River settlement.

The field cornet, Valentyn, ordered out a party of Hottentots to track the spoor, and succeeded that same night in carrying on a spoor to the Guga ridge of hills, where the party halted. In the morning Captain Armstrong, who had heard of what had taken place, joined the party with a patrol, and, quitting the spoor or track of the cattle, entered Caffreland, and seized from different kraals 42 head of Caffres' cattle, leaving the Caffres to find and trace the track of the colonial cattle. Of this number 31 head were the property of a Caffre named Muchana, who met Mr. Read a few days afterwards in Caffreland, and said that he had been for some days searching for the spoor of 32 head of cattle said to have been stolen from the colony, but that he could only discover the track of three, with the foot-print of one Caffre following; that he had traced the spoor to the Black Drift, upwards of six miles from the place where the patrols had seized his cattle, and begged Mr. Read to endeavour to get his cattle restored; that his calves were dying, being separated from the cows that had been seized, and his children crying for food. On Mr. Read's return to Kat River it was found that only three head were actually lost, the remaining 29 head having been found in the colony. The case was investigated by Captain Campbell, the civil

No. 1. Papers referred to in Evidence of the Rev. *J. Philip*, D.D. 15 June 1836.

commissioner, who ultimately directed the whole of the cattle to be restored to the Caffres from whom they had been taken.

In the month of June 1830 a commando of boors was sent into Caffreland, under the command of Colonel Somerset, for the purpose of seizing all colonial cattle that might be found in that country.

It is said to have been stated to the chiefs that the commando had no other object than to seize such cattle as might be the property of the colony, and that the Caffres were cautioned not to appear with arms in their hands lest some mischief should accrue.

The boors were divided into small parties, and proceeded, under the guidance of some one of their own body, in different directions; one party, under the command of Piet Arasmus, a farmer residing near the Kounga post, went along the Debe flat and swept off large herds of cattle that were grazing on the plains in numerous herds, without making any distinction between colonial and Caffre cattle.

A chief, whose name was Sicker, brother to the late T'Slambie, with many other Caffres, unarmed, followed the party that was thus driving off their property for some distance, when the boors turned about, fired upon them, and killed seven or eight Caffres, amongst whom was the chief Sicker himself.

Captain Stockenstrom, who was in Caffreland at that period, was heard to declare, when made acquainted with the particulars of this case, that it was nothing less than wanton murder; but the boors escaped unpunished.

Many oxen, the property of the chief Tyalie, were seized on this occasion, but on that chief's making a representation at Fort Willshire, the cattle were restored to him again.

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Copy of Receipts given to the Chief *Macomo* for Cattle restored to the Colony:

Fort Willshire, 24 May 1834.

Received from the chief Macomo eight head of cattle, which he has brought to this pent, as stolen from the colony.

(signed) *Wm. Burney*, Major 75th regt.

Fort Willshire, 8 June 1834.

Received from the chief Macomo one horse, supposed to have been stolen from the colony.

(signed) *Wm. Burney*, Major 75th regt.

Fort Willshire, 22 June 1834.

Received from Macomo six head of cattle, supposed to be stolen from the colony.

(signed) *Wm. Burney*, Major 75th regt.

Fort Willshire, 24 June 1834.

Received from Macomo two horses, supposed to be stolen from the colony.

(signed) *Wm. Burney*, Major 75th Regt.

Fort Willshire, 30 June 1834.

Received from Macomo a horse that was left in Caffreland four years ago by a commando under Colonel Somerset.

(signed) *Wm. Burney*, Major 75th regt.

Fort Willshire, 3 July 1834.

Received from Macomo nine head of cattle, supposed to be stolen from the colony.

(signed) *Wm. Burney*, Major 75th regt.

Fort Willshire, 5 July 1834.

Received from Macomo a grey horse, supposed to be stolen from the colony.

(signed) *Wm. Burney*, Major 75th regt.

Fort Willshire, 19 July 1834.

Received from Macomo seven head of cattle, supposed to be stolen from the colony.

(signed) *Wm. Burney*, Major 75th regt.

The boor Lombard informed the boor Scheppees, who resides between the Konap and Kat Rivers, that five of his horses had been stolen by the Caffres, and requested him to go into Caffreland with a view to recover them. Scheppees traced the horses to the kraal of one of T'Slambie's people, and four horses were found, but the Caffres asserted that only four horses had been stolen; Scheppees had the four horses given up to him, and 40 head of cattle, which he left in charge of Botman, who took them to his farm. After this Scheppees went to Fort Willshire in company with Lombard, and stated to the officer in command that five horses had been stolen from Lombard, and obtained a patrol. It is to be presumed that the officer in command at the fort knew nothing of Scheppees as above instanced. The patrol proceeded, not to the kraal where he found the horses, and which had given him 40 head of cattle as a fine, but to the neighbouring kraals, and from them took 90 head of cattle. It is asserted that one of the kraals robbed on this occasion was a kraal at which Scheppees had been hospitably entertained when on his first expedition, both coming and returning. This last transaction being communicated to the chief Macomo, he went to Fort

Fort Willshire to lodge a complaint against Scheppees. Before he reached the officer's quarters he met Scheppees at the fort. Macomo was immediately interrogated by Scheppees as to the object of his coming to the fort, and, finding his intention was to make a complaint against him, Scheppees endeavoured to dissuade Macomo from his purpose, and, finding he could not succeed, he requested him to say nothing of the 40 head of cattle, or that the Caffres gave the 40 head without being asked for.

In consequence of this complaint, Macomo and Botman, who were with Scheppees when he recovered the four horses and took 40 head of cattle, were called to Graham's Town by an order from the civil commissioner.

On their way to Graham's Town they called upon Scheppees, who said to them that he also had been summoned by the civil commissioner to meet them at his office, and that he would follow them. On their arrival at the civil commissioner's office, they were examined by that officer and detained that day waiting the arrival of Scheppees. On the second day Captain Campbell sent a message to Scheppees, requesting his immediate attendance. To this second message, Scheppees paid as little attention as the first. The commissioner declared to both that he believed they had stated the truth; that it was unnecessary for them to remain longer in Graham's Town, but that he himself would inquire further into the business; and after having been three days in Graham's Town, they left it without any one object having been gained for which they had been summoned, and they have heard nothing more of the affair.

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My dear Sir, Cape Town, 1 January 1835.

You have no doubt, by this time, heard of the dreadful situation of our friends in Albany, and of the danger which threatens the whole colony from a fierce invasion of the Caffres. On such an occasion every Christian is called upon by the command of God himself to come forward eagerly and without delay to the defence of the lives and property of his fellow-citizens. The Hottentots are called upon in a particular manner to support the British Government, and to manifest their gratitude to the King and to his Excellency the Governor for the favours and protection so recently bestowed upon them, and to show the world that the men of their nation, now under the influence of Christian principles, are more prompt and zealous than ever to arm themselves and face every enemy in defence of their wives, their children and the colony.

Entreat them, then, at your station, to be ready at the call of the Governor not only to do their duty as men and as Christians, in proceeding cheerfully to any point to which they may be ordered, but to remember that their conduct on this occasion will alleviate their future state and promote their prosperity under the British Government. I know the Hottentots, and I know their bravery and their attachment to the British Government, to which they owe the 50th ordinance, and more recently their deliverance from the Vagrant Act lately attempted to be imposed upon them. In the last-mentioned case they owe much to the Governor, and I hope they will now show their gratitude to him when he calls for their assistance. No time must be lost when they receive his Excellency's orders through any channel, in obeying them with the utmost alacrity, as the danger to themselves and their families increases every hour. The only chance of safety is in meeting it at a distance from home.

When you receive this communication you will call those on the station around you and make them acquainted with its contents; and on the Sabbath day, when most of the people of the station are assembled to worship, you will again make them acquainted with its contents and with my wishes. The honour of religion, the glory of God, and the salvation of men's souls, are all involved in the conduct of your people on this occasion; and to such argument they cannot be insensible.

Wishing you every blessing,
I am, my dear sir, yours,
(signed) *John Philip.*

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Rev. and dear Sir, Hankey, 15 July 1835.

You will have heard with pleasure from some of my letters, of the good behaviour of our people in the commando, and you will have seen by the papers, that the Governor has bestowed well-merited praise upon them. It is with painful feelings I must now inform you that a great change has taken place in their conduct, and that consequences have ensued very injurious to their character; about nine days ago I received a letter from one of our men, mentioning certain things which the people look upon as grievances, and asking me for advice; I enclose it for your perusal, and as you may not have a person at hand to translate it, I shall give you the substance of it as follows: "We are placed in very trying circumstances; when martial law was proclaimed on the 12th January last, a promise was made to us that we should receive soldiers' pay; but now, after the land has been conquered, and the farmers have been sent home, we are detained, and informed that the pay is only to commence from the 1st June*. As the government have deceived us, we would not believe the King himself; we were called out to fight the Caffres, but we are used as builders; we are therefore hardened and highly provoked."

I need not say I immediately returned an answer, urging them in the strongest terms to bear their

* The promise of pay, I have reason to believe, did not emanate from the Governor.

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their difficulties with patience, and to continue to preserve the good character they had hitherto held to the last, that they might return home to the joy of all their friends without a stain on it. While I was indulging a hope that a change for the better might take place, three men, deputed by the rest to come and ask advice, made their appearance last Saturday; they informed me that the spirit of discontent had broken out in one of the companies, and the shedding of blood was with difficulty prevented, every man having seized his arms and presenting a threatening attitude; but having yielded to the advice of Captain Stretch and obeyed the command, the affair was not publicly brought forward. However, the same spirit having again manifested itself in acts of disobedience, the parties concerned were reported to Colonel Smith and tried by court martial. The following are the particulars given by a person who was present on the occasion:

"Ten drum-head courts martial were lately held, the one on ten men of the first battalion for refusing to do some duty; being reported to the commandant, they were ordered to the guard-house of the 72d.

"Orders were then given for all the troops to assemble. Every one in the camp flew about like lightning. Colonel Smith with the noise he made, and riding up and down and appearing ready to shoot the first man that opened his mouth, made all the men tremble. In a few minutes all the camp were assembled within the fort, the 72d were ordered to fix their bayonets, and the Cape Rifles to mount; the court was held and the prisoners sentenced to 300 lashes, and the ringleader to three months' solitary confinement. The Colonel then made a short speech, saying 'Now you see what martial law is; you think you cannot be forced to do anything, but I say you shall serve as long as it pleases His Majesty. Will you not be faithful to your Governor and King, who tries to make you comfortable at all times? I have given some of you leave to go home, and you shall all have leave in time. There is the major of the 2d battalion, he wishes to go home on urgent business; I refused him and allowed you to go. Must you not fight for your country? When the farmers went home I gave you pay. Now are there any in this assembly who will be securities for the good behaviour of these men? if so, state out;' on which 15 serjeants and corporals came forward. 'Shall I forgive them or not?' 'Forgive them' was the universal cry; they were then pardoned. Soon after this the whole of the second company of the 2d battalion at Fort Beresford was reported to the colonel for mutiny; an officer was immediately despatched to bring the two principal ringleaders; they refused to obey, and said they would not stir an inch except the colonel would allow the whole company to come; the officer then made prisoners of them all, and brought them to this town (King William's). All the troops were assembled (it was 8, P.M.), the Cape Rifles were ordered to mount, and the 72d fix bayonets, the prisoners were drawn up in a close column, the colonel gave the command, 'Load the gun with grape shot, point it at that company, light the match: now will this company obey my orders or not?' 'Yes, willingly,' was the reply. The two ringleaders were then put in the guard-house for the night, in order to receive punishment the next day. On the following morning (being Sunday) Colonel Smith read prayers and some chapters on the forgiveness of sins; he then called out to the prisoners in a very good humour, 'Do you think that if you pray to God he will forgive you your sins?' 'Yes,' they said. 'Well then, if God will I must also.' 'Thus ended this serious affair, in a more favourable manner than might have been expected. I regret to say the two ringleaders of the latter party were persons belonging to this station. Besides the complaints mentioned in the letter to me, the want of sufficient clothes is also complained of; but the chief dissatisfaction, I am informed, arises from their being detained so long on the commando.

As the three deputies came for advice, a meeting was held yesterday, composed of all the old and influential men of the station. I was exceedingly pleased with the spirit manifested by every one.

They unanimously advised patience, resignation and implicit obedience to all orders; to do all kind of work without a murmur, and persevere in well doing to the end; that if the grievance respecting clothes still existed when the men returned, to seek redress by a respectful application at the proper quarter, but at all events to obey and suffer: they also advised that a letter should be written to them in the name of the meeting to the same purport, and I was requested to acquaint you with the whole of the circumstances, and to beg you would have the goodness to send the people on commando a letter of advice. It may be addressed to the Hottentots of our stations, under cover to Captain Stretch of the 2d battalion of provisional infantry, Fort Beresford; or in his absence (as he may be away on leave), to my son Thomas, ensign, 2d battalion, King William's Town; either of these persons may read or translate it to them if written in English. I would observe, that if you should send a Dutch letter it is necessary to use the most simple language.

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My Dear Sir, Cape Town, 24 July 1835.

I am much pleased with the views expressed by the people to their brethren engaged in the war, and I hope what they have expressed will be useful to them. By legal means we may always get redress of grievance, but we must always obey the orders of Government; we may complain of those orders afterwards by petition or by other such means, but the orders must not be disputed but obeyed at the time.

If a field cornet was sent to my house with a government order, however unjust that order might be, I would in the first instance obey it, and if it was a real grievance to me, I would afterwards apply to the government to have it removed, and if he came a second time and a third time, I would obey the order as coming from government, and again remonstrate

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remonstrate with the government; and if the government would not hear me I would apply to the English Government for redress, but I would not disobey the order of government in the first instance or in the second and third instances, but continue to obey and petition till I got redress; it is in this way that all things are conducted in civilized governments. If government were not to be obeyed, and if it were to allow its orders to be disobeyed without punishing the disobedient, there would be an end to all government; and it is much better that I should suffer as an individual than that all government should be at an end, and that strong men might do what they pleased with weak men and women and children. I am glad that the people of Hankey have so much civilization as to see this to recommend to their brethren belonging to the army the necessity of submission to the authority over them. The duty of every Christian man is to obey the law. It is a hard thing for those that are in Caffreland to be so long absent from their families, but it is the will of God; and they should see God's hand in it, and remember that he that resists the authority that is over him resists the authority of God, and brings ruin and disgrace upon himself and religion. Whatever the governor wishes them to do, if it is to build houses and to plant corn, they should do it of a willing mind as unto the Lord, and they will have praise of men and honour God, and bring honour upon the Missionary institution, and have peace in their own mind. If they obey God, God will see that they get what is right; and their friends will see that they afterwards get what is due to them.

I am, my dear Sir,
Yours truly,
(signed) *John Philip.*

Rev. John Melville,
Hankey, Uitenhage.

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My dear Sir, Cape Town, 31 July 1835.

I have read your letter with feelings of a most painful nature; I am indeed deeply grieved to hear that the Hottentots have been so inconsiderate as to allow their surmises and suspicions to carry them so far as to lead them to act in the manner in which their conduct has been described. Such a course as this, if it is persisted in, must bring disgrace and ruin upon themselves and their families. The war is a hardship to them, no doubt; but, in being obliged to defend their country in a time like this, they have no greater hardship imposed upon them than the people of England, and all civilized countries, are obliged to submit to in all periods of national danger, when those countries are engaged in war. They complain that the boors have been relieved and allowed to return home, while they have been retained. The grounds of this complaint arises, I am apprehensive, from a mistake into which they have fallen. They suppose that this arises from their being Hottentots; now in this opinion they do not think correctly. In all civilized countries, when the people in mass are called out to defend their native land, those that can be best spared from their houses are always retained longest in the service; and the Hottentots themselves must know that the boors have large establishments to look after, and on the produce of which the whole country depends for subsistence, which is not the case with them.

I am sorry that they should ever have imagined that it was the intention of the governor to retain them in the army against their wills. Whatever may have been said to them on this subject, I am satisfied the governor never intended any such a thing, and never could intend such a thing; the thing is absolutely impossible. The governor never could intend to do what the British Government at home never would allow; and I know the Government at home never will allow those who volunteered their services, at the commencement of the war to defend the colony, to be constrained to remain on the army as soldiers against their wills. As soon as the governor's proceedings with regard to Caffreland shall be confirmed by the home Government, the Hottentot regiment will probably be increased, but it will be by volunteers; and those who wish it will then be allowed to return home. Such as may have said to them that they would not be allowed to return to the missionary institutions, could not mean what they said. They are free men the moment they shall be relieved from the army, and no one can hinder them from going where they please. The Hottentots know that I am their friend; they know that I took a voyage to England on their behalf, and that I have suffered much on their account, and that I cannot deceive them, and I hope that they will believe what I have written to them. The English Government has done much for them, it has delivered them from their former bondage, and they owe a large debt of gratitude to the English Government, which they should be willing to pay on this occasion, when the government and country requires it in a particular manner at their hands. The Hottentots have always been praised as a loyal people; in all former times, when the colony was in danger, the loyalty of the Hottentots has always been spoken of in high terms; at the beginning of this war they were praised for the readiness with which they came forward to defend the colony, and the Governor and their officers have spoken of their conduct during the war in the warmest terms of approbation; and it will be a most grievous thing to their friends, and to themselves and their families, if they should ever do anything to forfeit that character. When I was in England, pleading their cause, I told the British Government that they might always depend upon the Hottentots; now what shall I have to say for them, when I may have to plead their cause at any other time, should they be so far misled as to lose the good name their former services had procured for them. It was by their good name that their liberty and all other good things have been gained for them, but if they shall lose their good name my lips will be sealed in silence, and I shall never

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be able to defend them any more. They may occasionally want soap, and they may want salt, and they may not have all the clothing desirable; privations of this kind must be suffered in the seat of war, but these things they should bear with as men and Christians. Whatever any one may have said to them respecting wages, they may be assured that in the end they will be honourably dealt by. I know that the governor has a kindly feeling towards them. I have never asked anything from him for the Hottentots, or for the Missionary Stations, which he has not been willing to grant; and should they conduct themselves well at this time, I am certain that he will be willing to do all that is in his power for them. The Kat River was given to them by Sir Lowry Cole; when the Lout Kloof was asked for Hankey, the present governor readily granted it; and more land may be granted to them if they behave themselves till this war is at an end; but they have nothing to expect for themselves or their children if they become troublesome, and refuse to obey their officers. Whatever grievances they may have to complain of let them wait and do their duty till those grievances shall be redressed in a proper way, and if they are not redressed otherwise I shall engage to take up their cause; but if they shall become mutinous and refuse to obey their officers they will bring destruction upon themselves and their families, and I shall never be able to do any more for them. For the honour of their nation, for the glory of God, for my sake, and for their own sakes, and for the sake of their families, I hope they will do whatever their officers command them to do, and in that case God will be with them to bless them, and their friends will rejoice in them; but if they become disobedient and unruly, God will be dishonoured by their means, religion will be reviled on their account, the missionaries will be broken-hearted, and they will be a lost people.

To Captain Stretch.

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Reverend and Dear Sir, Hankey, 5 August 1835.

Your letter of the 24th has just been received; I have made use of it in a manner that will, I am convinced, do much good to the people here as well as those on commando. I am glad to inform you that some change had taken place for the better among the refractory party. Previously, however, to this favourable change things had again nearly come to a serious crisis. The company had again manifested a disobedient spirit, and had been reported to Colonel Smith, who contemplated using some severe measures. Of this I have been informed by ————, who has written both to me and Kitchingman on the subject, requesting us to use our influence on the persons belonging to our stations. His letter was written on the 28th, from King William's Town. By a letter written the same day from Fort Cox (the place where the persons alluded to are stationed) I am informed that my two first letters had just come to hand, and had produced a good effect. The person who wrote the letter I forwarded to you has now written in a very different spirit. Captain Stretch, in a letter of the 28th, says, " Your letters and enclosures of the 4th and 10th arrived here on Saturday; the good advice these documents contain I trust may effectually quench the evil spirit which has of late rendered the duty of commanding these people very disagreeable; and as the subject of frequent conversations with them are precisely contained in your letter, many are now constrained to acknowledge that not my own but their interest induced me to trouble myself and them so often in speaking about their conduct." In another part of his letter he says, " they are now assuming a more peaceful turn;" and he adds, " it is mostly on their account I have remained here so long; I have had, in a great measure, their confidence; and, as some have declared they would not stop here if I left, I am still induced to sacrifice my own personal feelings for them." I have added the latter passage from his letter to show you that he is a friend of the Hottentots, and that you may convey your sentiments to the people through him with the greatest confidence; and I must again beg you will write to them, giving them the same salutary advice as is contained in your last to me. Speaking of the good conduct of his company, who are from Genadenthal and Tumbrak, he attributes it to the communications he has received from the missionaries of those institutions. One letter from you will do more good than a hundred I can write.

(signed) *John Melville.*

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Extracts from a Letter of *J. Melville's*, Missionary, Hankey, 27 October 1835.

Reverend and dear Sir,—You will be glad to hear that your letter to my son had a most salutary effect upon the minds of our people. Captain ———— (a most kind friend to the Hottentots) wrote me on the 14th ultimo, stating that he had the satisfaction to be able to inform me of a remarkable and satisfactory change having taken place, and some people who came home on leave mention the same thing; but it appears from late accounts that the influence your letters produced on their minds is beginning to wear off, and they are getting more impatient again. In a letter from one of the people of a late date, he says, " the people are very much dissatisfied; our hearts are sore." Tom, in one of his last letters, speaks to the same effect; their dissatisfaction appears to arise from their long continuance in commando; and as the farmers have just been allowed to return home, I fear their impatience will again lead to something unpleasant.

* * * * * If there were any hopes of their returning home shortly there would be nothing to fear; but as it is probable they will be kept in service for some time yet, they will require to be earnestly admonished to prevent their breaking out as before. I hope, therefore, you will have the goodness to write again to them, not doubting that a letter from

from you will prevent much evil. I might mention that Tom lent your letter to the governor, probably by the advice of Captain Stretch. Colonel Smith also saw it, and said he was very much pleased with it.

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My dear Sir, King William's Town, 31 August 1835.

I ASSURE you, so far from thinking my time taken up by affording you any information in my power to gratify the friends and relatives of the valuable and patriotic men who came from your institution, it affords me the greatest pleasure; and I enclose a list of those present here; but some may be detached at other forts. Those killed we know of; therefore if any names do not appear on the list they are absent, but well. I am very glad to learn from you that seed has been procured; the poor fellows are naturally anxious to hear of the well-doing of their little homes, and I do assure you feel grateful for the paternal care with which you have so long and so kindly watched over their interests. The Hottentot's character is vivacious, but I know of no persons more susceptible of kindness; and I can readily enter into the feelings of anxiety by which you must be actuated to ameliorate the condition of this race of men. It is very evident, from recent circumstances and events which have transpired, that the wily Caffre built much upon being joined by the Hottentot community in his late atrocious acts of perfidy, treachery and murder, in which expectation he has not only been disappointed in a friend, but has found a bitter and vigorous enemy. Your labours therefore have been crowned with success; for to you reverend gentlemen do I attribute the stability and honesty of conduct in the late temptation held out by the Caffre to the Hottentot; and I do not scruple to say that the efforts of the missionaries amongst the Hottentots have been as successful as they have totally failed among the Caffres. Clearly understand that I speak generally, but with a confidence not to be refuted. Every Sunday I have what in camps we call a church parade, and I read prayers myself; the Hottentots of Theopolis sing a psalm one Sunday, those of other institutions another, with a devotion incul cated both by precept and practice. I mention these little matters, well knowing that the result of human exertion cannot be rewarded here, but hereafter; and although we may ourselves feel content in conscious rectitude, the frailty of our nature admits of additional gratification in the good opinion of others; for he who contemns the opinion of his neighbour, I must believe is not a Christian guided by the most noble principles of our blessed Saviour, "Do unto others as you would be done by," and "Love your neighbour as yourself." You see we soldiers, men of a boisterous and cruel profession, feel all this quite as acutely as you gentlemen, whose profession is to point out to others the right path; and while our characters are traduced by the faction of the day, our conscious rectitude places us on a rock not to be moved by the vain efforts of man, but at the mercy of the Omnipotent who judges all of us according to our deserts.

Believe me, my dear Sir, faithfully yours,

The Rev. G. Barker. *H. G. Smith*, Colonel.

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My dear Sir, District Head-Quarters, King William's Town, 28 July 1835.

IT is now some time since I have had the pleasure of writing to you, during which I have had frequent occasion to commend many of the men you were good enough to send from Theopolis to increase our ranks. They have all I may say conducted themselves as becomes brave men and good Christians, principles of virtue which they have imbibed under your instruction. It would oblige me if you would send up here the wife of a very good man. Enclosed is her as well as his name. I also send you an order for Mr. Palmer to provide her with conveyance. I shall always remember, with great satisfaction, the readiness you evinced and the assistance you afforded me in the early part of this struggle; and I am,

Believe me, with sincerity and truth, faithfully yours,

*H. G. Smith.*

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Dear Sir, Port Elizabeth, 13 January 1835.

IT is with the most acute feelings of pleasure and satisfaction I take up my pen on the present occasion to express my warmest thanks for your attention, your ready acquiescence and the support given to me at this critical moment; thanks only to be felt, but no language able to express the obligation the government and country owe to the Hottentots generally under your care, for the willingness they have shown, their ready obedience to my orders, the laborious duties they have performed up to their necks in water from morning till night, besides patroling, and without expressing a murmur or uttering a word of discontent. No asking, who's to pay? but all ready to show their loyalty to their King and country, and willingly came forward to prove to all around their determination to discharge their duty as loyal subjects of the British Crown. It is with great pleasure I bear my testimony to their general activity and good conduct on this occasion, which clearly proves to me that your services have not been ineffectual. Wishing you much success in your laudable efforts to promote the welfare of the coloured population,

I remain, dear Sir, yours sincerely,

To Rev. J. Kitchingman, Bethelsdorp. *Thos Evatt*, Comdt.

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My dear Sir,

This will be handed to you by Lieutenant Moulha of the 75th regiment, who has been sent here for the purpose of taking up as many men as we possibly can spare. The army having marched into the field of action, it behoves us to guard against the inroads of the enemy, by the Fish River Bush; for which purpose they are collecting a strong force in Graham's Town, and none more effective or better calculated for this duty than our Hotteys. It is therefore needless for me to urge the necessity of your able support and influence, as upon every occasion since the commencement of this unhappy contest the support government has met with from our missionary brethren, but particularly from yourself, your readiness to meet my demands for men, and the cheerfulness, the willingness and the readiness with which the Hottentot subjects have come forward, and their obedience to orders, will (I trust to see the day) gain for them a name that must rank them as high as the first class of His Majesty's subjects; and I hope to be called upon to prove that they have a claim upon their Government beyond any other class of people. I pride myself in being one of their church; and I look at and upon them with a degree of satisfaction and pleasure not to be described. The day of reward is to come; may they meet and appreciate it. I shall write my friend Melville to send me a few more men, if possible. I remain, my dear Sir, very faithfully yours,

*T. Evatt.*

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Speech delivered by Captain *Evatt*, Commandant of Port Elizabeth, at the Anniversary of the Auxiliary (London) Missionary Society, at that place, 1835.

Mr. Chairman, and Ladies and Gentlemen,—It is only about an hour since I heard of this meeting, and I am not therefore prepared to address you to the extent I could wish. If, however, gentlemen, a residence of 29 years in this colony, 25 years of which have been spent on this frontier, in civil as well as military situations, afford opportunities for marking, learning, and inwardly digesting affairs, so as to lead the mind to form just opinions of the state, not only of the inhabitants in general but of the coloured population in particular, and with regard to the progress they have made in civilization, and in every other respect, I trust I may be permitted to state my humble sentiments on these points. On my first arrival on the frontier, in 1810, I was stationed at the most remote habitation in the colony, and closely bordering on the Caffre tribes, from whose frequent inroads it cannot be supposed that the inhabitants lived in any degree of safety and comfort. At that time their habitations were not such as to afford them either a comfortable shelter for themselves or their families, and those of the slaves and Hottentots were far less fitted for this purpose. With regard to the latter (for of them I mean to speak more particularly) I found them in a most wretched state, sleeping generally at night, even in the most inclement weather, under their masters' waggons, and having no other clothing than a sheep's skin. The females and children were generally in a state of nudity. The food of all was pumpkins or Indian corn. Bread or meat they seldom tasted. Their wages were from 3 *s.* to 4 *s.* per month, or, what was more common, a heifer per annum, which was valued at from 9 *s.* to 12 *s.* Such were the comforts of these poor creatures, who were looked upon by their masters as in no way entitled to the name of human beings. They were even looked upon as the baboon species, and kept in the most servile state. They were brought up in ignorance, with no cheering hope or prospect before them of ever being raised one jot higher than that in which they then were. Nor is this to be wondered at, when at this time the Christians, as the white people called themselves, were equally ignorant. If in a family one only was to be found who could read a chapter of the Bible, he was accounted a wonderful man, and he was thought a highly educated and blessed being. Nor is this to be wondered at, for, strange as it may appear, in 1810–11–12, though the colony had been six years in the possession of the English, such a being as a minister of the Gospel did not exist at Brumtyes Hoogte, my residence then, nor even in the whole district of Uitenhagen, in which it is placed. Only at the missionary institution at Bethelsdorp was there any instruction given.

Marriages were formed by the mutual consent of the parties, without any religious ceremony. It was only in the year 1815 or 1816 that a clergyman was appointed to the district, and then those who had been man and wife before by mutual consent, with their children and children's wives, and even grand-children and grand-children's wives, in like manner, came flocking to have the marriage ceremony solemnized; and according to the institution of our blessed Saviour, children and children's children were baptized at the same time. Judge, then, of the state of civilization in this part of the colony at this period, when the means of instruction were withheld from Christian men, as the white population called themselves, how could it be expected to be found among the coloured classes? Yet, as a convincing proof of the honesty of these poor degraded creatures, and the confidence to be reposed in them, I have known farmers go from their homes to Cape Town, a distance of nearly 600 miles, and be absent three months, leaving the doors of their houses fastened only with a string; and yet, on their return, find not even a stool removed from the place where it was left.

Let me now come to that happy period when, by the blessing of Divine Providence, our enlightened mother country, which had heard of the deplorable state of the people here, as it regards Christianity and civilization, sent out ministers, not only to the Heathen, as they were called, but to all, to improve their minds, and instruct them in the way of eternal salvation. These men addressed all alike, the white and the black, the fair and the brown.

I have

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I have already alluded to the destitute state of the frontier in those dark times, when the only ministers of Christ in this extensive district were the missionaries at Bethelsdorp. These men, not being ordained ministers of the Dutch or English church, were not permitted to solemnize marriages or baptize. Their efforts also in spreading the Gospel were, by the then existing laws of the colony, very much impeded, inasmuch as no Hottentot, or person of colour, unless those who come under the name of Omzeververs (vagabonds), were allowed to become members of the institution. The absurdity of this law, which was almost a total barrier to the extension of Christianity, being seen by our Government, the ordinance was at last repealed, and in a very short time the den of thieves, as the institution was called by its enemies, began to fill with Hottentots and free people of colour, all anxious to be instructed in the truths of the Gospel. The progress made by them in reading and writing became obvious to all. The shepherds were not idle in their labours of love: they built substantial houses, and as they became enlightened, felt and appreciated the blessings of civilization.

In 1816 the Rev. Mr. Moll, a regularly ordained clergyman of the Dutch church, was established at Uitenhagen. In the same year the Rev. J. Williams, of the London Missionary Society, accompanied by the Rev. Mr. Read, took up his abode in Caffreland, at the Kat River, under the chief Gaika. Such was the zeal, the assiduity, and the attention of this truly good man, and so great were his unremitting exertions to promote the welfare of the people, that he soon sunk under them and the fatigue and anxiety to which he was subjected, and resigned his soul to his Maker. He was succeeded by Mr. Brownlee, who was sent there by the colonial government, as their agent, as well as missionary. As, however, I mean to confine myself to what came under my own observation, and for which I can vouch, I shall not offer any remarks on the progress made by this gentleman at that station. There cannot, however, be a more convincing proof of the progress made by him in civilizing them, than the friendly feeling which he inculcated, and which so long existed between the Caffres and the colonists, and the attachment of the former to our Government. As to how and by what means that feeling and attachment have been broken off, it is not for me to offer any remarks.

In the year 1810, the period when I first became acquainted with the eastern frontier, the most remote inhabitants, the Hottentots and Caffre tribes, whose kraals it was a part of my duty to visit frequently, were but few. The country was thinly inhabited; and, as I before remarked, there was no pleasing hope, no prospect before them of rising from darkness to light; all were equally ignorant, and scarcely one jot removed from the brute creation. Let it be asked, "is this the case now?" And if it be admitted that there is great improvement, and that the fruit of the Gospel has ripened; from what cause has this blessing sprung? Can we induce the world to believe that in the year 1820 the arrival of the British emigrants was the date of the era of the sunshine of morality, religion, and civilization? I deny it. Our beloved mother country, ever alive to the interests, happiness, and prosperity of fallen men, heard the voice of the slave, the Hottentot, and savage, crying, "Are we of God's human beings, or are the black and brown merely brutes; and if we are of the former, enlighten our darkness, shake off from our weary limbs the shackles of bondage, tyranny, and oppression?" Their voice was heard; missionaries were sent to this colony; men came who, despising all wordly pleasures and earthly enjoyments, with all the comforts of a civilized life to which they had been accustomed, joyfully enrolled themselves under the banner of the Cross, and thousands flocked to them to receive the glad tidings of the Gospel. They were subjected to repeated repulses and to the utmost danger; but by patience and perseverance they were enabled to lay the foundation-stone of civilization and happiness among the most savage tribes. I am aware that my remarks on these subjects will meet the most bitter and severe criticism from newspaper scribblers, but I defy them to controvert these truths.

I now come to state some proofs, facts connected with the circumstances of the late irruptions of the Caffres; a subject I feel myself the more bound to mention, from the bitter invectives thrown out by newspaper writers, not only against missionaries, in the course of their most illiberal remarks, but against the Hottentots, in which they have even gone so far as to doubt whether or not we were safe in trusting them with fire-arms! The recent conduct of the Hottentots has thrown a lustre round the character of those long-degraded, but now the most useful and loyal of His Majesty's subjects. I speak from local knowledge. I was commandant of the garrison when the war broke out, and from what came under my own immediate observation, I can produce facts, first, to prove the absurdity of the idea that the missionaries were instrumental in bringing on the war; and secondly, to prove that it has been through their indefatigable exertions and the support they have given the Government in levies of men from the institutions, that it has been so happily brought to a close. From these institutions, as fine, as brave, as loyal a body of men as are to be found in His Majesty's service, were sent to join the army on the frontier. It was on the morning of the 28th of December 1834, that I received an express from the civil commissioner of Uitenhagen, requesting in the most urgent manner that I would immediately send off all the men I could collect, as the Caffres were fast approaching this part of the colony. I immediately wrote to Mr. Kitchingman, the senior missionary at Bethelsdorp, and in the short space of 24 hours I was enabled to send from that place and from this, through the able support I met with from Mr. Robson, the London Society's missionary here also, 100 Hottentots and 40 Europeans. And the first repulse the Caffres met with was from this body, on their march to Graham's Town. In this action four of the latter were killed. I again wrote to Mr. Kitchingman, and Mr. Melville, the London Society's missionary at Hankey, and in the course of 10 days, by their exertions, mustered an addi-

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tional force of 140 men, whom I organized and disciplined myself, and 80 of them I immediately sent up under Capt. Kemp; and then, shortly after, there followed him a reinforcement of 50; and again, a few days after, 40. In about a fortnight 50 more were sent, making in all 320, besides a company which I have now here of 80; which makes the total number of Hottentots from the institution of Bethelsdorp, Hankey, and Port Elizabeth, to be 400; all of whom, I believe, were equally zealous in the cause of their country.

These things I state as far as came under my personal knowledge; and the unqualified thanks and praise given to the Hottentot corps, in general orders, sufficiently prove his Excellency's perfect satisfaction with their conduct.

Next, gentlemen, I am enabled to declare the praiseworthy conduct of the Hottentots since the commencement of the campaign, in their most laborious discharge of the duty of landing stores and transporting every description of government articles from this bay for the use of the troops on the frontier. In this business they have been employed from daylight in the morning till dark at night, without intermission, and yet have not uttered a murmur. During nine months they have been under my immediate eye and command; and, after 48 years of my life spent in the service of my country, I can say I never met with a better behaved body of men. No such thing as a theft, or riotous, or disorderly conduct, has been laid to their charge during the whole time; nor have I ever heard of the desertion of any of them.

This unhappy war no sooner began than a newspaper controversy between the editors of the Commercial Advertiser, Zud Africaan, and Graham's Town Journal, also began. These editors being most bitter enemies, the two latter uttered the strongest invectives against the former in consequence of his relationship with Dr. Philip. And then they poured out their invectives against the missionaries, of whom Dr. Philip is the representative or agent, loudly accusing him and the whole society of being the chief cause of our disasters. As the blessings of peace are now restored, it is to be hoped that the real causes will soon be brought to light. Suffice it to say that gunpowder and fire-arms were abundantly supplied to the border tribes. By whom? Traders, and others in the habit of extending their commercial enterprize to the most remote tribes, say, "that the missionaries supplied as well these articles, as by their persuasions they brought on the war." Much light I could throw on this subject, and much I could say; but I desist. It is argued also, that notwithstanding the indefatigable exertions of these worthy men, the missionaries, the Caffres and others are, in place of being civilized, ten times greater savages than ever. I leave it to every impartial mind in this assembly to judge of the truth of this, when I state it as a fact well known, that even the very tribes with whom we were at war not only protected the missionaries, but even through their influence hundreds of men in the midst of them were spared, and even sent out with an escort to the limits of the British line! Let, gentlemen, these facts appear before the public, and leave it to that impartial public to say how far the aspersions thrown out against the characters of the missionaries and against their labours are entitled to belief from enlightened men.

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Extract of a Letter, dated Province of Queen Adelaide, 1 Feb. 1836.

Mr. F. Melville is gone home to see his family; it is therefore not in my power to comply with your request regarding the letters and salutary advice you have given from time to time during the war to the Hottentots; but on this subject I will write you officially next week. I delivered your last letter to Colonel Smith; on handing him the document and naming the writer, he observed, "do you correspond with that fellow;" and on perusing it he said "this is very good, a very excellent letter; well, he hates me, and, as I like to be doing good, I will show it to the governor;" and the next day he took it to Willshire, and Sir Benjamin is now in possession of this excellent specimen of your loyalty and zeal for the government, as well as your affectionate regard to us all.

(signed) *C. L. Stretch.*

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In another Letter the same Gentleman says:

I believe the gratification is very general respecting the good conduct of the Hottentots; to you therefore, who have suffered and done so much for them, it must be peculiarly satisfactory, and the deep interest you have evinced in their welfare has been no trifling spur to their general good conduct. The following extract of a letter in my possession from their commander Colonel Smith, will sufficiently demonstrate, the general, and every other officer subordinate to him that has served during the war. "If you will express your desires for the benefit of the people, who have faithfully and bravely served for their general advantage, I shall have great pleasure in laying the same before the governor." I have many others of a similar nature in my possession, but this sentence will be sufficient to assure you the provisional forces from Bethelsdorp, Theopolis, Hankey, and Pacalssdorp have done their duty, and proved they were indispensable in driving the Caffres from the colony. During 18 years' residence on the frontier it will be allowed I have had some opportunities of knowing this class of people, and I must come to the conclusion that with kindness and good treatment you may do much good, but they will not be driven; and all those who love peace, and the colony, have great cause for gratitude that they now enjoy equal privileges with the other colonists.

(signed) *C. L. Stretch.*

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Dear Sir, Graham's Town, 5 June 1835.

I may apply your own expression, as to the news from Graham's Town, to the series of notices from head quarters; I am much discouraged thereby. Discouraging as they may be as respects man, they tend to strengthen faith. God's word is not a cunningly devised fable, therefore I despair not of seeing good brought out of evil. No doubt the sins of the Caffres are great, they have merited severe chastisement from God, against whom they have offended, as we all have likewise. Yet instead of acknowledging our iniquity, that we have not done justly nor loved mercy, we have added unto all our sins this evil,—to judge and condemn unheard; yea, to refuse to listen to the cry of the oppressed. It is not surprising therefore to observe such epithets as "unprovoked aggressions" "irreclaimable savages," applied to the Caffres, because of their late inroads on the frontier. But who use such terms? only those who know not the Caffres: his Excellency the Governor has seen and heard but one side. "I wish," said ————, on hearing that his Excellency had used such terms as 'irreclaimable savages, &c.,' "that he had had a conversation with Macomo." But, independent of this, there are facts enough to refute the assertion, as the very conduct of the Caffres towards the colonists, their conduct among them for years past; the conduct of many Caffres during all the time of the war here in Graham's Town; the testimony of all the missionaries as to those who lived at their stations, and as to others, likewise the long peace that had subsisted between the colony and the Caffres,—though the latter have been subjected to great and incessant provocations. I will immediately mention some classes of provocations: The chiefs and their families protected all the missionaries, showed them much kindness, and served many of the traders; the chiefs have declared that the murders of the traders and plundering of their goods will be inquired into at the termination of the war. Many of the common people, at least those around me, showed much concern for the preservation of myself and family; and talked in the same way of the other missionaries. Notonto, Macomo's mother, travelled twenty miles on foot to remonstrate with her son against the war, when her messages to him failed of effect; various counsellors of great influence, age, and experience, remonstrated likewise with the chiefs as to the policy of the war. As to provocations, they were many and frequent. I have often heard the following enumerated by those engaged in the war, and by those who were not: the taking of their country—the taking of their cattle—killing their people for no crime—and for unproved offences. What precipitated the storm that burst so suddenly on December was the wounding of Tyalie's and Macomo's brother. They say too, and it was the last communication I had with Soutoo on our leaving, that they were stirred up by Hottentots and Boors to attack the colony. Much of the above was stated to the Governor verbally, and in writing by the missionaries of the Glasgow Missionary Society on their arrival here. The writing was at his Excellency's request, and I understood was a copy of the conversation that had taken place between them and the Governor. I was not requested to write. The sum of what I said was, that the causes of the war were, the conduct of the military, traders, and others in the colony; that I conceived the war was not premeditated, but that resentment was hurried on or brought to a point by the wounding of Tyalie's brother. Another stated, both verbally and in writing, that Tyalie complained that 44 Caffres had been killed, and two chiefs, in all 46. If there is added or included the affairs of the Gager (for it was not one matter or case of which I believe his Excellency was informed, and which I did not exclude when I imparted the conduct of the military among others), it may then be determined if there was an adequate cause for the irruption; or, in other words, was it an "unprovoked aggression."

My brethren and myself have stated these things over and over again since we came here, yet we have the pain to hear "unprovoked aggressions," "irreclaimable savages," &c. &c., still reiterated. Savage and savages are very common terms; here we protest against them, still they are used not only in common conversation but in grave debate.

The proof of a preconcerted war which has been stated, is that the traders said the Caffres had long been preparing a great number of assagais; this I denied in the first place as not being a fact; and stated, further, that when we came to town some used to talk of the great number of shields that were prepared as a proof of a long-intended war. But as shields have not been seen to be used in the war, this argument from them has been dropped; allowing however that the Caffres had made an extra number of assagais, it did not prove that the war was premeditated. I then mentioned one fact that had been stated to me by officers (but which I knew myself,) that would destroy the inference of intention, &c., namely, the immense gardens and corn-fields which the Caffres made last spring, and what abundant crops these officers saw. Would the Caffres have cultivated so extensively in face of a war? No; but so provoking was the conduct of the colony towards them, that they felt themselves impelled to fight in spite of such a consideration. Moreover they thought they were well provided for war; a regular trade in arms and powder was held at a certain river no great way from Fort Willshire, besides occasional bargains were made elsewhere; and I have heard an officer in town affirm that frequent presents of arms, powder, and even moulds for bullets, were made to the Caffres by the authorities, both civil and military.

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Graham's Town, 19 June.

I HAVE delayed concluding this letter to see what good thing might yet appear for the Caffres beyond what can be expected in looking at the terms "irreclaimable savages," &c. I acknowledge these words made me think sometimes that my wishes were foolish; yet although

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although the Kei had been proclaimed, the boundary, and the people, as well as chief, deprived of their possessions and expelled their country, still I inclined to hope that the Governor would think again of the Caffres; that he might see some of the chiefs on his return, and show them some mercy; though, at the same time, I saw that he would be quite stultified in doing so by the words "irreclaimable savages;" but he had appeared so already, in treating with Hintza and his son. My brethren who were in town drew up a petition with me on behalf of some of the chiefs and people. We learned, Wednesday the 17th, that his Excellency's views were much the same as ours; that he had already provided for Soto, Sandilli, &c. &c., and such of their people as they would recommend. Alas! our views were very different; for the only and best and repeated likeness he could find for the Caffres was that of wolves; they were more like wolves than men. They were wolves, he said; still there were some good ones, but chiefly females, of whom he thought much. I expressed a wish that he had seen Macomo, friendly as he was. This was not well received. "Who?" he asked. I answered, "Macomo;" Mr. Laing added, "and Botman." Poor human nature—Caffres are wolves; yet some are very good! Would not the same means make others so also.

(signed) *John Ross.*

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Extracts of a Letter from the Rev. *J. Ross*, Missionary, Caffreland, to the Rev. *J. Philip*, D.D., dated Pirie, 31 January 1836.

I HAVE heard a good deal of late from Notonto, Macomo's mother; she spent some days here lately with Mrs. Ross and myself. The chiefs and people had suffered for many years past; they remembered their sufferings, however, without having resolved on war. It was the demanding of the fine or payment for Gaika's faults; I understand thereby the faults of his people, and the shooting at Uxozo, Tyalie's brother, both subsequent to the wounding of Ensign 'Sparks,' which produced the rupture. Some colonial writers I perceive reckon the latter nothing; they say Uxozo got a scratch on the head. The Caffres reckon he was dead in intention; aggravated by the young chief's having been invited to come near to speak with the person who shot, and when he drew near all that he heard was a shot at himself. Some indeed said, if we are to pay 200 head of cattle for wounding an officer in the arm, what is to be paid for wounding our chief in the head? What is to be paid for murdering his son in his hut, with an attendant; and wounding one or more besides? (this was, I think, in 1825 or 1826) What is to be paid for shooting Llahabe's son in 1830? The Caffres say, and seem to think, that the English commenced the war by shooting Uxozo, and making the demand; and their attack on Macomo's and Tyalie's cattle. They do not appear to think that they commenced it. This they always deny; and did so from the beginning.

The following Extract will show why some of the Caffre tribes committed or appeared to commit more depredations upon the colonists than others. "The locality of that (Pato's) tribe must be considered. It lies on a stripe along the coast, out of the way of thieves from behind passing to or from the colony; whereas the countries of Eno, Botman, Macomo and Tyalie's must be passed through, and cannot be passed through without its being known. The population of Pato's tribe, and of the others, should always be borne in mind. Mr. Shaw states the number of the former about 10,000. The Governor's commissioners state Gaika's people at 45,000. It is allowed there are thieves among Pato's, who are only 10,000. There must be more thieves among 45,000; and yet the body of the latter were worse than the body of the former. Gaika's, Botman's and Eno's people have been far more harassed than Pato's by patrol and commandoes; these two causes just mentioned. If there be more thieves, so there are more innocent persons. As there are thieves who pass through their country, but are not followed beyond them (I know but of one patrol or commando that was beyond the Buffalo River), so the innocent are more harassed, as no patrol or commando enters the country without great excitement being produced for miles on each side of its route, and in advance. As the inhabitants flee with their herds, cattle are lost, calves die, the dam gives no more milk, the quantity of food is lessened. The consequences are obvious. How frequently have people, who I believe were innocent, complained to me with no little bitterness of their sufferings. In their vexation and anger they have blamed the missionaries for bringing commandoes and patrols. They frequently urge that they have no rest, no leisure to attend to the message we bring them because of those parties. That sin is with the white people, and not with them.

(signed) *John Ross.*

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Extract of a Letter from the Rev. *John Ross* to the Rev. *John Philip*, dated Graham's Town, 13 November 1835.

MISSIONARIES will have much more vexatious and harder work in the new province than formerly in Caffreland. I fear some of the chiefs are irretrievably ruined through the supply of ardent spirits, copiously administered to them. The forcing of the "locating of the Caffres" is pregnant with evil. Let us hope, however, that if this season or year is past that the worst will be past. It is very irritating to be turned away from their own possessions, the land that one has cultivated. I fear that neither chiefs nor people anticipated such settlements from the treaty. Every one is beginning to see that the statements of a few missionaries, as to the ground or country given in the treaty to the Caffres being inadequate for the population, were true.

(signed) *John Ross.*

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Letter from Mr. *Kayser* to the Editor of the South African Commercial Advertiser.

To the Editor,

Sir,—Observing some time ago, in the Graham's Town Journal, that the statement given there respecting the traders who were at the new Missionary Station near Macomo's residence is very incorrect, and, as allusion is made to myself, I beg to trouble you, as the state of my eyes now allow me to write, with a true statement of that affair, leaving you to make what use of it you may think proper, to correct the erroneous statement given in the above-mentioned paper.

It happened as follows: On the 23d of December 1834, between four and five o'clock, P.M., a commando of Caffres came to my station just as we had sat down to tea with Mr. Warren, a trader, and I went to the door to meet them. The chief person, Umaxova, a great counsellor of Macomo, informed me that they were sent by the Great House to take away the property of the trader. I said, "If you are sent by the Great House, what can I do; these are the goods, which you know yourself." "No," said the counsellor, "call the trader, that he may give us his goods, for we do not know them." I replied, "that is not necessary, you can take the property;" but he insisted on the trader going with him; and as I perceived they were disposed to take him out of the house by force, I said, "Well, I will call him; but before I do so, give me your word that nothing shall be done to endanger his life." The chief man said, "Nothing shall be done to him, we only want his property." I went and called Mr. Warren, who, rising from his chair, said, "Oh, yes! I know Macomo; and as they have promised that no injury shall be done me, I am quite willing to resign the property." So saying he went out; and I followed him to the room at our house. After giving out his property, we were returning quietly, when, just at the door, two strange Caffres seized him by the arms, and made him sit down on an empty case. I went directly to the chief man, and asked him what these men were doing? He said, "Nothing; they are unruly men, who have detained him." When the party had divided the property, they made signs to the two Caffres to bring Warren. On seeing this I went to the chief man, and with tears begged of him to keep his promise, and not murder him; but another counsellor cried, in an angry tone, "Shut your mouth! What have you to say? Go directly into your house." And a third counsellor took me by the arms, pushed me into the house, and shut the door, saying, "These people have murdered enough of ours." All I heard afterwards was the chief man crying, "You must not shed blood here; bring him away." Warren was not murdered before my eyes, as stated in the Journal, nor within hearing of my house.

At night, the Caffres being still around my house so that we could hear their conversation, the chief man proposed to murder me and the Fingoes who were with me, but the Almighty protected us from their fury After a long consultation we heard one of Macomo's counsellors, Hermanus, call out, with a strong voice, "I beg you will consider what you are doing. What have these men done to you? Have they not come to teach you the word of God? Have they not always lived peaceably among you? Before you can touch them Macomo and Tyalie must be consulted;" and at these words they all left the place. The next day, as we were burying Warren, I was told by two counsellors that the meeting on the preceding day was continued from the morning early until the commando left for the station, before Macomo could be prevailed on to consent to the murder; and I have reason to believe that this is true, as the chief man, Umaxova passed the station very early that morning, saying that he was going to Macomo, from whence he returned in the evening to commit the bloody act. The truth is, that I verily believe Macomo was overpowered by numbers to give his consent, and having resisted as long as he could, was at last forced to yield to the popular clamour.

The case of the other trader was nowise connected with the affair of Warren, as the journal has made it appear. Early on the morning of the 25th December two Caffres came to the station, and a white man with them The Caffres told me that the chief Botman, had sent them off in the night with this man, his trader, with a request that I would hide him. Under the greatest anxiety we took this man into our house, and concealed him on some boards laid over our bed-room, and not in the chimney, for there was none in the house. At midnight the Fingo Pingela and an old Hottentot brought him to the drift opposite Fort Willshire, where they remained with him till daybreak, when he crossed the Keiskamma to the fort, and they returned home. No search was made for this man while he was concealed in my house, as stated in the journal; but the day after he had left, and when safe at the fort, three Caffres, amongst them two counsellors, came to inquire for him, to whom I showed the rooms; and being satisfied that no one was concealed, they went peaceably away. On the 28th December, at mid-day, a counsellor came from Macomo, to inform me, in his name, that he could no longer protect us where we were, but we must leave the place, and put ourselves under the protection of Sutu, at Buru's Hill; but that if I needed a guard in the meantime I had only to apply for one. This I did the same day, and Macomo sent a lame counsellor in the evening, with directions to sleep in the house at night, and not to leave us until we were all at Buru's Hill with our property. This man accompanied the waggons which conveyed our goods to Sutu's station, returning with it in the evening; and on New Year's Day we had removed with our property, and all the people residing on the station, and were set down in safety at Buru's Hill, under the protection of Sutu. Now, I think it will be clearly seen that I was not put to such shifts for my own safety as the writer in the Graham's Town Journal would make the world believe.

As an appendix to the above I shall add the account of an interview which I had with Macomo, and his great council, on the 22d December. I heard in the morning that the

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Caffres had attacked Fort Willshire, and I considered it my duty to see Macomo. On the road to his residence I met a Caffre, who informed me that an order was issued the preceding day for all the young and able-bodied Caffres to proceed to the colony that night to plunder the farmers of their cattle. On arriving at Macomo's residence I was informed that he was not at home, but in the bush. I was called by the council, which being told that I wished to see Macomo, they said, "It is in vain for you to see or to speak to him; we are the persons who have begun the war, and we compel our captains to fight. We are quite tired of the present state of things, and we can bear no longer to see our chiefs shot. In time past several of our chiefs have been shot, and we remained quiet, but now we are determined to fight." At last I procured a guide, who brought me to the opposite side of the Keiskamma, on a height near the fort, where I met Macomo in the bush, with a great body of his warriors, sitting on the ground. At the sight of Macomo my heart was ready to burst, and I could not speak for tears. As soon as I had recovered, I asked him, Macomo, what he did there: he said, "I am a bush buck; for we chiefs are shot like them, and are no more esteemed as chiefs."

*Kayser.* Why do you talk thus?

*Macomo.* Have you not heard that one of my brothers has been shot in the head, and we do not know why he has been shot.

*Kayser.* But you have heard the governor is coming to set all these things right.

*Macomo* (*very quick*). Where is he?

*Kayser.* I do not know; but we hear he is coming very soon; and you must go home with your people, and wait his arrival at your residence, and then you can lay your complaints before him.

*Macomo.* I have no home—the bush here is my home.

*Kayser.* But consider, if you go on in this way you will contradict all that your friends have written in your behalf, and destroy all that they have done for you.

*Macomo.* O, no; I did not commence hostilities.

*Kayser.* But think again of the bloodshed and destruction that will ensue if you persist in doing as you now do.

*Macomo.* Yes, that is all very true; great bloodshed will follow: but the fire is burning, and I cannot quench it.

*Kayser.* You say that you cannot quench it; here I am, send me, and I will try to speak for you to Colonel Somerset, who is near Black Drift. Here some of his counsellors spoke to Macomo privately; after which he said to me, "Yes, you go to Colonel Somerset, and tell him that you found me here in the bush, because my brother has been shot in the head."

*Kayser.* Yes, I will endeavour to see him; but you and your people must go home to your dwellings. At this several of the counsellors laughed, and said, "No joke, no joke;" and I left them. I endeavoured to see Colonel Somerset, but could not meet with him, he having left at mid-day. I am, &c.

*F. G. Kayser.*

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Extract of a Letter to Captain Alexander, on the Caffre Frontier.

I SCARCELY know what to say of our Caffre affairs. The words in the proclamation, "unprovoked aggressions," "irreclaimable savages," "expelled for ever," grieved me much, acquainted as I am with the provocations which the Caffres received, and which drove them to desperation. If it had only been for his Excellency's sake, I wish that the expression used in the first instance had been omitted. Irreclaimable savages are no less unfortunate terms. What has the colonial government ever done to reclaim the Caffres? It is but a few years since missionaries were allowed to settle amongst them; and, considering the time that the missionaries have been among them, their success has been as great as could have been reasonably expected. The character of an individual may be soon changed, but all national changes have been slow in their growth. How many ages passed over England, from the time the Romans first came into the country, before the English became a civilized people? In the cottage of an English peasant you see a civilization which is the fruit of eighteen centuries.

Can we not at this moment point to Matura, Kamma, Tzatzoe, and many others, who have remained faithful to the colony, and many of whom are Christian men; I very much question whether so much was effected in Great Britain the first 30 years after the missionaries came to convert our ancestors, as has been done to Caffreland within the last 20 years. It is not more than 10 years since we had any trade with the Caffres. And for some years past that trade has brought into the colony exports to the amount of 35,000 *l.* per annum. Last year 300 bales of woollen cloth and iron pots, to the amount of several thousand dollars, were purchased by the Caffres from our traders. The Caffres had become as fond of cloth jackets, and pantaloons and handkerchiefs, as the English are; and had peace continued a few years longer, and a system of international law been introduced on the Caffre frontier, in place of the patrol system, in the course of a short time there would have been few Caffres between the Keiskamma and the Kye who would not, to the extent of their means, have been clothed in the British manufactures. The Caffres are barbarians; but, in the usual acceptance of the term, they are not savages: savages have no herds of cattle. The Caffres are a pastoral people, and were rich in cattle: savages grow no corn; the Caffres cultivate the ground, and grow corn. Look at the immense stores of corn said to have been destroyed. If the applicability of the term savage to a people is to be determined by the disposition of mind they evince, and we are to substitute

a comparison

a comparison between the Caffres and many of the border settlers within the colony, I have no hesitation, so far as my knowledge of both parties goes, to which of the parties I would consider the term as most applicable. I am deeply sorry that Macomo and Botman have not been included in the amnesty offered to the Caffres by his Excellency. You know my sentiments of those two men, and nothing has occurred since the war commenced to alter those sentiments. After the death of Hintza, and with the fate of Makanna before their eyes, those men would not have been what I supposed them to be if they had come and laid down their arms on the mere promise that their lives should be spared. A missionary in whom they placed confidence should have been employed, and whose word they would have regarded as a pledge for their security to find them out, and to bring them to his Excellency. Buonaparte used to say, that great men commit innumerable blunders, and he is the greatest man that commits the fewest; and he might have added, he is a fortunate man who has the wisdom and power to correct the blunders that may have been committed so as to prevent them from becoming fatal to himself and others. I have always thought that it would be a good thing to take the Caffres as subjects under the British Government, provided their country is secured to them; but the dispersion of English or Dutch settlers among them, in present circumstances, is a scheme that cannot succeed, and one that the Home Government will never sanction.

The most degraded and demoralized portion of the human race I have ever seen were those traders among the Caffres who were living among them after the Caffre fashion; and in nine cases out of ten, white men going to settle among the Caffres would imbibe their vices without any of their virtues; and such a mixture would involve the colony in endless expense, and it would prove the ruin of both. Thirty or 50 years after this, when the grown-up persons among the Caffres shall have died off, and the rising generation growing up under missionary instruction shall have taken the places of those that have arrived at manhood, the sons of our Albany farmers may have their sheep-walks on the beautiful plains of Caffreland or the province of Queen Adelaide; but, without the utter extermination of the Caffres, the thing is at present wholly impracticable. I have a most kindly feeling towards the Governor, and if you have any influence with him I hope you will use it to correct his views, provided they need correction; for his real sentiments may be very different from those on which I have been making my animadversion. I do not know in what light you may view Colonel Smith's despatches, 1st, 3d, 7th June; but, if I am not very much mistaken, they will produce an impression in England which the colonel never dreamed of while he was writing them amidst the excitement of a camp. The burning of so many huts, the destruction of immense stores of corn, &c. are things which will be viewed in a very different light at home from what they may be viewed in this colony. It will naturally be asked, How far had those women and children to travel before they reached the Kye River? What season of the year was this done in? Why were those women and children not allowed to retain the poor remnant of their cattle and goats? Why were they not allowed to carry away their corn? Even in Cape Town many loyal people are horrified at those despatches; what will they say to them in England, where Caffres are regarded as human beings? I am quite mistaken if even all that Fairbairn has said will produce such a strong sensation in England as those despatches will produce. We are quite wrong, if we suppose that England will suffer the Caffres to be treated as wild beasts; the people of England will recognize in them the same principles of human nature they do in us; the terms "savages, treacherous savages," will produce a re-action in their favour. The leading journals of the country have already assumed the principle that in all contests between colonists and the native tribes on their borders, the colonists are most commonly the aggressors: in the present instance they have already quoted the affairs of "Sutton" and "Sparks," and appeal to the present Caffre war as a proof of the correctness of this general principle; and the concluding paragraph of Colonel Smith's despatch, 7th June, will be regarded in no other light than as a cover to a system of extermination which will be visited on the poor colonel with the condemnation of Europe and America. I venture to affirm that all the opinions that could have been given by Fairbairn, and all the men of the colony, would have been a trifle to what will be made out against the colonel on his own showing.

When I sat down to write this letter I meant to have written a few lines only; and I must request you, before I conclude, to excuse my bad writing. I make no apology for the freedom with which I have expressed my sentiments on the Caffre war. I am hopeful that, so far as I have taken correct views of the light this subject will be viewed in, in England, the opinions I have stated may yet be useful; a military occupation of the country, till the Government at home decide the question in abeyance, appears to be necessary; but for the Governor's sake I wish to see an end put to this system of extermination; and the sooner it is done the better.

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My dear Sir, Cape Town, 21 August 1835.

I FEEL very much obliged to you for your very candid reply to my letter, and for the interesting accounts you have given me of the Governor's visit to the Kat River. I am sorry that the pleasure you experienced on that occasion should have met with any drawback from anything you there heard or saw among the people of that settlement; and I am sure you will excuse me if I venture at this time to call your attention to those circumstances which gave you pain, that the impression they appear to have made upon your mind may be removed. The conduct of the schoolmaster may, I think, be accounted for by the impression which the presence of the Governor might have made upon his mind; and you were not perhaps aware at the time that the young Hottentot was not the master of the school, but a young

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person placed there to keep the children together, in the absence of James Read. If what you say in regard to a settled plan among the Hottentots under Staffles and Batha, to murder the bastards, is built on incontrovertible facts, then it must of course be admitted; but it is so unlike the opinion I have formed of the individuals whose names have been mentioned, that I must either believe that they have become insane since I knew them, or that the person who gave you your information must have been deceived by some designing person, on whose word he had placed too implicit a reliance. I happened to be in the settlement in the midst of the greatest excitement created by the Vagrant Acts. They were then very warm upon the subject, and I did all in my power to allay their heated tempers; but the most violent among them never breathed anything like a spirit of murder, or even went further than to say that the Hottentots ought not to have any communication with those that they represented as having betrayed them, and attempted to sacrifice their liberties; and even this spirit was confined to a very few individuals. I am glad to hear that the Governor was pleased with what he saw of the schools; and nothing could have been more kind and judicious than his address to the people. I am perfectly sensible of the truth of all you say in regard to the Governor's urbanity and the readiness he always manifested to hear everything I had to state to him. I have nothing to complain of in all my intercourse with him; and my letters to England, some of which have been published, vouch for the sincerity for which I have always given him credit, and for the affection which I have always professed to entertain towards him; and the affection I bear to him gives poignancy to the grief I feel at the difficulties in which I have seen him involved in the attempt making to expel the hostile tribes from their native soil. If this expulsion is just, and absolutely necessary, you are correct as to the necessity of shooting the Caffres, burning their corn, and taking from the women even their milk goats; but the necessity and policy of the first measure must be determined before the second can be defended.

You speak of me as having been among the Caffres as a negotiator. From some cause or other there appears to be much misapprehension on this subject. I never appeared among the Caffres in any official character; I went among them with the approbation of his Excellency, to obtain information for his Excellency; but I was entrusted with no powers whatever to treat with them; and, as the Governor was himself expected every week during my visit to Caffreland, I never dropped a single hint to the chiefs that could have given them reason to suppose that I had any direct communication to make to them from the Governor. I stated to them that it was my conviction that the Governor was well-disposed towards them, and that they might expect that he would treat them with justice and generosity; but in all my intercourse with them, which never took place but in the presence of two English gentlemen who travelled with me, nothing escaped from my lips which could lead them to suppose that I was speaking to them in the name of his Excellency. Had I not been prevented from speaking to the chiefs in the tone of an accredited agent from the Governor, from the hope of seeing him soon on the frontier, there was another reason which would have deterred me, which remains to be noticed. Whether my opinion was correct or not, it matters not on the present argument; but, from the period of my arrival in Graham's Town, I was of opinion that the success of the introduction of the new system proposed would depend on the secrecy with which my mission was conducted, till the Governor should himself arrive there; as I felt convinced that if it came to be known beforehand, some attempt would be made to embroil the Caffres in a war with the colony to defeat his Excellency's intentions.

The character of a negotiator could not be applied to Mr. Read more than to myself, for the same reasons. Mr. Read has declared, in a letter to me, that he never knew that the Governor was at all acquainted with the delicate business on which I requested him to visit the chiefs, till his Excellency himself told him at Graham's Town. Had I told them that, in all I said to them respecting the favourable dispositions of the Governor, I had been authorized to state to them in his name, I cannot see how they could have been blamed for not having believed me, while they could point to their burning huts around them, and ask me if what I saw before my eyes was to be regarded as a proof of his Excellency's favourable intentions towards them; as was the case in one instance in a conversation I had with Macomo, when I was assuring him of the confidence I had in the justice and generosity of his Excellency. The outrages which I myself witnessed on the frontier, did not, I know, originate with the Governor; I have reason to believe that his orders to the frontier authorities were entirely of a pacific character, and that those authorities are entirely to blame for having acted in those instances contrary to the letter and spirit of his instructions to them; but it was impossible that the Caffre chiefs should have understood the matter as it is understood by us, or that they could suppose that the aggressions of which they had reason to complain could have been committed in defiance of the Governor's orders; and I submit to you whether, under those circumstances, the Caffres should not be entirely acquitted on this count of their indictment.

I do not understand how his Excellency should have so far misunderstood Mr. Read and myself on this point; but I am willing to think, that when he comes to know the real state of the case, he will allow it to have its due influence upon his mind in any arrangement he may make to settle the affairs of the frontier. I was sorry to hear that some parties of Hottentots had given uneasiness to their officers. The continuance of the war beyond the time they had looked for its termination, and the circumstance of seeing the boors allowed to depart while they were detained, was, no doubt, the occasion of some inconveniences to them; but they appear to have been most vexed by the interruption of their correspondence with their families, and their having been told, in a most injudicious manner, that they were to be detained as soldiers, and never to be allowed to return to their former condition. Mr. Anderson, the missionary of Vacaltsdorf, writes me that he forwarded letters to the men,

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men, from the station, every week from their families, and that they receive no answers; while, on the other hand, those to whom they are addressed in Caffreland are complaining that they never hear from their families. This is an evil which I hope has been by this time removed. Immediately that I heard of those complaints I wrote to all the missionaries, urging upon them that they should without loss of time write to the men, through their officers, exhorting them to obedience and good conduct; and I was glad to find from their answers that they had anticipated my wishes. I have myself written two letters to them on the same subject; one of them, indirectly, through one of the missionaries who has a son, an officer among them; and the other I addressed to Captain Stretch, requesting him, if he deemed it necessary, to show it to Colonel Smith before he should read it to the men. At the commencement of the war I sent a circular letter to all our missionary stations, exhorting the Hottentots to volunteer their services to repel the invaders; but, whatever my private opinions may be as to the grounds on which it has been continued, I do not consider it my duty to trust that opinion to the Hottentots; and I consider it my duty, and the duty of all the missionaries, to press upon the minds of the Hottentots belonging to the army, the duty of obedience to their superiors till their services can be dispensed with by the termination of the war.

I exceedingly regret that his Excellency has not employed some of the missionaries to find out Macomo and Botman, that they might be brought to enter into a treaty with the colony. They had been long faithful to the colony; their late error might have been forgiven in consequence of the provocations they had received, and the circumstances in which they were placed at the breaking out of the war, and forgiveness would have attached them firmer to the interests of the colony. In fact, I consider them the only chiefs among the Caffres who, from the portion of mind they possess, and from their great influence, are capable of enabling his Excellency to realize to any extent his wishes with regard to that portion of the frontier of the colony on which they now are. I give it you as my firm conviction, and it is the conviction of one that foresaw all that has resulted from the determination to extirpate them and their people; it will be matter of regret in all future times, as often as the present contract shall excite any interest, that my views on this subject have not been adopted. You remark that I "was deceived by the chiefs;" that this opinion should be entertained by many persons on the frontier where you now are I am not at all surprised; but you may rest assured that that opinion is not more sound than many other opinions which you may have heard advanced in the neighbourhood of the seat of war. I am in possession of the whole history of those two men (a history based upon incontrovertible facts), from the time they first became known to the colony, down to the month of January 1835; and nothing has occurred since that period to shake the foundation of the facts on which my opinion of them rests. I have heard all that has been said against them, or can be said against them; and I have no hesitation in saying that a case can be made out in their favour that will excite a melancholy interest in their fate, should mercy not be extended to them, that will be felt in the cottages of Great Britain, when we shall be no longer in the land of the living to witness it, or to hear the remarks to which it will give rise. I would not have troubled you with this letter had I not observed, from the accounts we have from Graham's Town this week, that you are not likely to have it in your power to visit Cape Town so soon as you expected when you last wrote to me. My object in touching upon the Caffre war in my former letter I have explained to you in that letter; and my principal reasons for writing you at this time is to prevent you, in the volumes you intend publishing, from falling into the mistake respecting the negociation with the Caffres to which you have referred, and which I have endeavoured to correct.

I shall be sorry if any difference of opinion between his Excellency and the Scotch missionaries, and Mr. Brownlee and Kayser, respecting the point to which you refer, shall induce his Excellency to withdraw his confidence from them. I hope we shall soon have the pleasure of proving that the war is terminated, and of seeing you, along with his Excellency, in Cape Town, when I shall be happy to hear from your own lips all the adventures in which you have been engaged.

I am, my dear Sir, yours truly,

Captain Alexander, &c. &c. *John Philip.*

## — Appendix, No. 2. —

PAPERS delivered in by the Rev. *John Philip*, D.D., and referred to in his Evidence of 11 July 1836.

DRAFT of an ORDINANCE proposed by the Governor of the Cape of Good Hope to the Legislative Council thereof, for the better Suppression of Vagrancy in this Colony.

No. 2.
Papers referred to in Evidence of the Rev. *J. Philip*, D.D. 11 July 1836.

WHEREAS the laws at present existing in this colony are insufficient for the suppression of vagrancy therein, and whereas it is necessary to make further provision for the apprehension and correction of vagrants; be it therefore enacted, by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council thereof, that every field-cornet and provisional field-cornet shall, on the 1st day of January, or as near thereto as may be, make a return to the civil commissioner of his district of all inhabitants then resident or being within his jurisdiction, in the form set forth in the schedule hereunto annexed marked (A.).

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2. And be it further enacted, that every field-commandant, field-cornet and provisional field-cornet may, and he is hereby required to apprehend all persons found within his jurisdiction, whom he may reasonably suspect of having no honest means of subsistence, or who cannot give a satisfactory account of themselves, and bring them before any magistrate or justice of the peace within the district for examination.

3. And be it further enacted, that every magistrate or justice of the peace shall examine every such person so brought before them, and also any persons who may have knowledge of their usual place of residence, occupation, or mode of obtaining their livelihood; and it shall and may be lawful for every such magistrate or justice of the peace, if it shall satisfactorily appear to him that such persons so brought before him have no honest means of subsistence, to employ them in making or repairing public roads, or upon any other public works, until they find such security as he shall deem adequate for their good behaviour, or until some respectable person shall agree to take them into their service, or until the magistrate or justice shall be satisfied from their behaviour, whilst they are so employed as aforesaid, or from other circumstances, that they will of themselves enter into some service or employment by which they may obtain an honest livelihood.

4. And be it further enacted, that if any person, after he has been so apprehended as aforesaid, shall make his escape before he shall have been regularly discharged, and shall be convicted thereof before any magistrate or justice of peace, he shall be imprisoned and kept at hard labour for a period not exceeding 12 calendar months.

Schedule (A.)—Return of Inhabited Houses, and of all Persons resident or being in the Field-Cornetcy, Ward or Township (as the case may be) of in the District of on the day of 183 .

Number of Inhabitants——Habitations——Descriptions of Habitations——Males——Females——Description and Occupation——Age, above 16 years; under 16 years——Nation or Tribe——Birthplace——Religion——Length of Residence in the Colony——Length of Residence in the Field Cornetcy——Remarks, particularly as to how Persons not born in the Colony came into it.

*K. B. Hamilton*, Clerk of the Legislative Council.

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To the Editor.

Sir, Cape Town, 14 May 1834.

A slight inspection of the Ordinance published in this day's paper must satisfy every one acquainted with the state of this colony, of the advantages we may expect to derive from having such documents submitted to the judgment of the public before they are stamped with the authority of the laws. This ordinance is no doubt well intended; but I am not acquainted with any circumstances in the present state of the colony which require such an enactment, and it is to be hoped that the present draft of this ordinance will undergo very important alterations before it becomes a part and parcel of the laws of this colony. The concluding article in this ordinance has in it too much of the spirit of the old laws under which the Hottentots were once placed, and I can easily conceive how the principle of the ordinance may open a door to the return of that system which the justice of the British Parliament has so recently done away with. It deserves consideration, whether the power placed in the hands of the field-commandants, field-cornets and provisional field-cornets, may not be liable to great abuse. It is well known that many of the natives of this colony subsist on a very slender provision; and were all the inhabitants of this colony to pass through such an ordeal, it might stand as hard with many of the white inhabitants of Cape Town as with the coloured population of the country. What provision is there in this ordinance to secure the unfortunate individuals thus arrested against the greatest injuries? They may have no means to employ lawyers in their defence; they may have no friends who can assist them; they have no common sympathies in their favour; their very dress and appearance seem inseparable from crime, and the distance they may be from their houses may put it out of their power to rebut the charge of vagrancy which may be brought against them.

To be apprehended in such circumstances is to be convicted and condemned; and they must be consigned to gaol, and treated as felons, without the shadow of a crime being advanced against them. In every civilized country a man must be convicted of a crime before he can be punished; but, according to the spirit and letter of this ordinance, a poor man may be subjected to the punishment due to crimes only, without having committed a single fault. To seize men and confine them to hard labour on the ground alleged, and to punish them with hard labour for 12 months for attempting to escape from it, is to perpetuate their misery, and to make them slaves for life. While engaged in a servitude for which they receive no wages, they cannot be in a better condition to provide for themselves than they were when they were at first reduced to that condition. Contempt is the parent of cruelty and injustice in the higher classes of the community, and it is for the council to consider whether this ordinance, as it now stands, will not have a tendency to increase that feeling in the privileged class, and to seal the degradation of their inferiors.

The part of this ordinance of which I complain is to be deprecated on another ground: the bare exhibition of this power, exercised as it may be should this ordinance pass into a law, must have an injurious effect on the public mind, and infect with its spirit every house of the colony. When the interests of the poor are of no consideration, might comes to occupy the place of right, and our laws and institutions tend to generate a spirit of inhumanity and injustice towards that numerous class of the community. We have known many instances

instances in which Hottentots have been called upon to produce their passes, and because they have lost them or forgotten them, or left them behind them, they were made to suffer the greatest injuries, and subjected to such treatment, that for months afterwards they were not in a capacity to do anything for themselves or their families. Such things have often happened in the immediate vicinity of our drostdys; and it has been found impossible to obtain redress, without adopting measures, the expense of which the injured parties were in no condition to defray. What security have we that the power with which this ordinance arms a certain portion of the inhabitants against another, will not be exercised in a similar manner? None.

We cannot for a moment suppose that this ordinance has arisen out of the present state of the colony, or that it can have any other object in view than to meet the change which is shortly to take place in the state of the slave population when, next January, that change may probably begin to take place; and we conceive that it will be soon enough to make a provision against such an evil when it shall arrive. If a comparison between the state of this country before passing the 50th ordinance and the state of the country since that period is admitted as furnishing a criterion for the propriety of a Vagrant Act, the facts that may be adduced are decidedly against any such measure.

We have not forgotten the state of feeling in the colony on this subject in 1828 and 1829, and the result has shown the absurdity of the fears which were then entertained. The history of all civilized governments shows melancholy trains of evil which have resulted from laws framed under the apprehension of evils which might arise out of a different state of society. Where an evil really exists men deal with it according to the principles of reason and justice, but the evils which affect the imagination have no limit; and when the fear of such evils becomes the principle of legislation, cruelty and injustice have no narrower limits than our fears. The man who would be ready to pass by unnoticed an injury he might have sustained, might be ready to give up a city to pillage and destruction to guard against an undefined danger.

We do not object to a Vagrant Act, but we certainly object to the law as it appears in this ordinance. The first principle to be attended to in a Vagrant Act is, that those who may have the power of apprehending vagrants should by no means have it in their power to derive any advantage from it. If any law of the kind holds out any temptation of gain to any man, or any class of men, it must instantly become an instrument of oppression; and many recent facts in our history show that no one can say to what extent that oppression may be carried in many of the districts of this colony. It is not many weeks since a number of industrious people were assembled together, and were told that it was the order of government that they should leave the district and go to the Kat River. When it is known the government had given no such order, and what those people suffered by the imposition practised upon them, we may easily conceive to what purposes of oppression such an Act as the present may be turned. To render such a law harmless, not only should the local authorities, the field-commandants, the field-cornets and the provisional field-cornets derive no advantage from it, but its execution, to guard against oppression, should be burthened with a positive expense to government. To secure the administration of justice we pay in this colony 32,000 *l.* per annum. For this purpose magistrates are paid by the state, prisons are built, judges are salaried, and a police are supported from the same source; and England has its workhouses for those that cannot find employment; and, to save expense in this case, are we to condemn our poor, that cannot find employment, to lodge, and feed, and labour with the felons who are the inmates of our prisons? Is there anything in the old Hottentot system to which this may not lead; and can we suppose that England will pay 20,000,000 *l.* to the slave proprietors, and see the slaves placed in a worse condition than they were before? We have honourable men amongst us, who are well inclined towards the lower orders of the community; but when we know this also, that such a power as this, which the present ordinance confers, will be exercised without a single check in this thinly-peopled country, it is necessary to point out to what such a state of things must, in a few years, lead. The only wise course in the present state of things is to make laws to elevate the lower classes of society, and not to degrade them. Make them feel that they are respected by the laws, and they will respect themselves and those that are in authority over them.

Nothing is more to be dreaded than that spirit of legislation which confines its regards to society, considered as a mass, regardless of the rights due to individuals. Where the rights and interests of individuals are disregarded, the same disregard will speedily be extended to the respective classes to which they belong; and if injustice to any one class of people is once sanctioned by law, the principles of justice will soon be lost among the people, and in course of time no one will know, when he comes before a magistrate or a court of justice, what he has to fear or expect. When the poor come to be treated with cruelty and injustice, whether these evils arise from the law itself, or from the situation of the government in having that law to be administered by individuals on whom the arm of government can exercise no control, justice and humanity can have no longer a sanctuary in the human heart; and, when this comes to be the case, we shall search for them in vain in the decisions of our magistrates or in the ordinary concerns of life. The prosperity or the degradation of a people as a whole, depends much on the maxims on which a government acts towards the poor; they may not in the present generation lessen the luxuries on the rich man's table—on the contrary, those luxuries may for a season be increased by the means which degrade the poor, and deprive them of the necessaries of life; but good and bad maxims of government have a good or bad influence on all succeeding generations of men, and become a blessing or a curse to such as shall come to live after us. Human society, like a tree, must have its

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roots in the earth, and its future growth and beauty and fruitfulness must depend upon the soil and climate in which it is planted. The laws and institutions of a country create a large portion of the elements which go to the formation of national character. We hear much in the present day against the poor laws of England, and in their operations they have certainly gone beyond that point at which their influence ceased to be salutary; but, amidst the evils which have arisen out of the abuses of the system, we have lost sight of one advantage they have conferred upon England and the world. In ages when there was much in the state of society to counteract the benevolent tendencies of the heart the poor laws constantly reminded the rich that the poor were objects of consideration; they prevented that state of distress which has a tendency to harden the heart against suffering; and they kept alive those sympathies in the heart which are the ornament of our nature, the source of improvement, and the great bond of union among a prosperous and happy people. "In what country besides England," said Johnson, "do you see bye-paths for foot-passengers;" and to the feeling inculcated by that remark, we may trace England's greatness and the security and respectability of the higher class of her community. This subject is well deserving of our serious consideration, when legislation is new to us and we are ready to think we are of no use if we are not making laws, and when every new man in power thinks of mending the world in this way; and it will be well for us, when engaged in a work for which any man thinks himself competent, if we show that we are really capable of looking beyond the Cape Flats, and the suspicious vagrant we may see lounging in the neighbourhood of our sheep-folds or cattle kraals.

We are aware that it will be alleged that this ordinance is not made to bear on any particular class of people, but that it extends to all the different classes of the community. It is admitted that such is the fair construction which may be put upon the letter of the law; but it will not be denied that there is only one class of people for whom it is intended, and that for a long time to come it will bear as exclusively upon them as it would have done had they been the only party named in it. While the principle that three months' imprisonment to a vagrant Englishman, and a sentence condemning a Hottentot to convict labour for 14 years, are equal punishments for the same offence, can meet with the high sanction which it has received among us, it is trifling with the subject to tell us that this ordinance is made for the white man as well as for the man of colour.

At a future period, should it be passed into a law, when it shall be worked into the mind as the law of the colony, white men and black men will suffer by it, and all the labouring classes will be degraded by it; but in our day there is but one class that will have to dread its rigorous execution.

From the short time his Excellency the Governor has been in the colony, and from the well-known benevolence of his character, we must entirely acquit him in this matter; but it is to be hoped, for reasons connected with the present state of England as well as for the good of this colony, that this ordinance will either not be carried further, or that it will be purified from all that is objectionable in it before it is passed into a law.

It strikes us that we shall not find it difficult to show from the present state of this colony, from what has been going on for some time in the interior of the colony, that what we want are laws for the protection of the poor, and not such as have a tendency to bring back upon us all the rags of the old system which, I must again repeat, England, will see, from the workings of our jury system, that it is not the higher classes but the lower classes that require protection.

A Colonist. (*J. Philip.*)

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## THE VAGRANT DRAFT.

To the Editor.

Sir, Cape Town, 21 May 1834.

Among the remarks in my letter of the 14th instant, on the draft of the proposed ordinance, published in your paper of that date, I took notice of the baneful influence on the public mind of anything in the laws of a country, or in the abuse of those laws, which might have the appearance of cruelty or injustice to the poor. The Commons of England showed their sensibility on this subject at a very early period of our history. An Act having been passed in the reign of Richard the Second, in consequence of unusual riots and outrages, enabling magistrates to commit the ringleaders of tumultuary assemblies, without waiting for a legal process, till the next arrival of justices of gaol delivery, the country petitioned next year against this "horrible grievous ordinance," by which "every person in the kingdom would be in bondage to these justices," contrary to the Great Charter, and to many statutes, which forbid any man to be taken without due course of law. So much alive were those men to the great principles of civil liberty, and such was their reverence for the Magna Charta, that they preferred enduring riot and robbery to chastising them by any means that might afford a precedent to oppression, or weaken men's reverence for laws which involved in them the personal liberty of the subject. It is to such men, and to such doings, that we are to trace the political and moral grandeur of England; and if they carried their jealousy to the borders of excess in this particular, it is the more excusable if we consider the splendour of the results, and the tendency that there is in the minds of men in authority to sacrifice everything that can raise a people to future felicity and greatness to the petty interests and prejudices of the present moment. Whether the inhabitants of this colony can claim the advantages the English, in their own country, derive from the great palladium of their liberties,

liberties, the principles of civil liberty and justice have been of the same importance in all ages, and the government inflicts a mortal wound upon the prosperity of a country when by any of its acts it weakens men's reverence for them.

It is unnecessary to institute a contrast between the spirit of the House of Commons of England, in this instance, and the spirit of the ordinance under consideration. The danger which might arise from the leaders of tumultuary assemblies being at large, and a few harmless people of colour, not in the service of a master in this colony, are scarcely subjects for comparison; and the hardships of an arbitrary imprisonment till such time as the former could be tried, vanishes before the punishment ordained by the ordinance for the imputed crime of vagrancy in the latter. Surely the stealing of a few sheep or cattle in the course of the year is as the small dust in the balance, compared with a measure that would deteriorate the whole body of the working classes of our population; and we cannot approve of the wisdom of a law which would destroy the industry of the body of a people, and convert a large proportion of them into thieves and robbers, with a view to prevent the petty thefts of a few needy rogues.

In my observations in a former letter I remarked, that to secure those who may come under the operation of any Vagrant Act, it will be necessary to take the most effective precaution to guard against the possibility of its ever becoming a source of advantage to any of the parties that may be concerned in its execution; and in this colony no precautions can be taken that will prevent this evil, if the people, apprehended under this law, are to be forced by the local authorities to enter into the service of masters. Any ordinance that may contain in it such a provision will in a short time reduce the whole of that class of people to a condition of worthless vagrants, entailing upon them all the evils of slavery, without any of its advantages. We speak advisedly, and without the slightest tendency to exaggeration, when we say that an Act, condemning every man accused of the crime of vagrancy to be hanged, would be, in this colony, an act of mercy, compared to any Act founded on the principle of a compulsory service. If you keep your vagrants separate from your felons you may work them, while you feed and clothe them; but any enactment forcing them into service will put an end to all hope of improvement in the families of the masters of the country districts, or among the people that it will be the wisdom of the government to improve and elevate. A degraded and worthless peasantry are as great a curse to their masters and their families as they are a burden to themselves; shut up the servants into a worthless condition, and you give a character of permanence to every existing evil in the family and tempers of their masters.

One of the greatest blessings derived from a state of freedom, is that interchange of kind offices to which it gives rise between the master and the servant; they come together on the grounds of a voluntary compact, and while the dependence of the master on the servant gives rise to all those kind offices by which his own benevolence is improved, and that of his whole family, the servant feels the influence of that kindness, and returns it by a cheerful obedience. Introduce, instead of this, a system of coercion; let the master be assured if his servant is dismissed from him he becomes a vagrant, and that he may have him restored to him on his own terms by an application to the field-cornet, the law of kindness instantly departs from his lips, and we have all the evils of slavery restored to us under a new name, without any of the sympathy a master must feel in his slave, merely considered as his property, to ameliorate the condition of the unfortunate bondsman and his family.

But the most oppressive part of this system must more immediately fall upon the wives and children of this class of people. The wages at which vagrants can be hired at the drostdy will instantly become the standard of wages over the whole country. If the master does not choose to give the wages the servant asks for, he has only to let him depart, and he receives him back as a vagrant, or another in his stead, at the wages at which the government may be obliged to hire him out to get rid of the expense of his support. Under these circumstances, what is to become of his family? The master has no longer any interest in them; he is not even afraid of losing the head of the family if the wife and children are starving; and the whole family has nothing to trust to but the benevolence or good nature of their master. There may be masters who will not allow the wife and children absolutely to starve, but can this principle of benevolence be trusted to for the support of such a large proportion of the inhabitants of this colony? I institute no comparison between the inhabitants of this country and any other; I make no reflections upon the Boors; I maintain that even in England this principle would not preserve the poor of England from misery, starvation, and a rapid decrease in their numbers. There is no country on the face of the globe which such a system would not cover with misery, depravity and solitude; and in a country thinly peopled as this is, its workings would speedily reduce a large proportion of the white inhabitants to the condition of the coloured population.

The practice of placing the labour of this colony at the disposal of the local authorities of the country districts has been long tried in this country, and, since the old system was done away with, a better system has been in operation, and we have the results of both before us; and we ought by this time to have had by heart the lessons those results teach us. It is impossible to read the pages in which the history of the old system is recorded, and not blush for human nature; and the intelligent traveller cannot visit the interior of the country without seeing its effects inscribed on every part of it by the finger of desolation. Yet so sweet to human nature, when accustomed to such aliment, is absolute power over the life of a fellow-creature, that man, having once got a taste for it, regards everything else as insipid if this seasoning is wanting. The love of our species in the human heart is not a match for the arbitrary power, which, to gratify its lust of dominion, scruples not to trample under feet everything which opposes it, whether human or divine. Volumes might

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be written on this subject, but let it suffice for the present to say that if we have among us a people who cannot think, or who cannot or will not look at the connexion which there is, and ever must be, between their own prosperity and that of their families, and the improvement of the labouring classes of the community, it is the duty of government to think and to act for them, till their narrow and selfish prejudices shall give place to views more in consonance with their own interests, as well as with the interests of those who would sacrifice to their present feelings.

The council will do well to consider what it will have to overcome before it can carry this ordinance into effect.

If the bands of the Hottentots, which had been so long strengthening, could be broken asunder under a Tory government, with everything in government to uphold them, it is for the council to consider whether it will be possible to forge those chains again, and rivet them around those necks from which they have been wrenched under a reformed Parliament, and in opposition to the feelings of a British nation. It will be vain for any one to suppose that he can conceal the iron, or make it appear anything else than it is. England knows well the workings of the system proposed. The people of England do not want to be told what the result of forced service will be in our colonies; they know what the machinery of that government must be, and how it must work, in which there is no medium between compulsory service and convict labour. England will see, in the third and fourth article of the ordinance, all that made the Hottentots what they were; all that opposed their emancipation; all that has hitherto retarded the progress of civil society in this colony, and kept it so far behind some other colonies; and England, already acquainted with Hottentot oppression, will say to the council, "Hitherto shalt thou come, and no farther." Will a reformed Parliament show less tenderness for the liberty of the subject than was shown for it by the parliament of Richard the Second? Will the English nation, which has engaged to pay 20,000,000*l.* for the redemption of the slaves of our colonies, suffer itself to be cheated out of that money by allowing the iron chains of the Hottentot to be substituted for the leathern thongs of the slaves? Will the men who have brought England to the help of the helpless, and who have stimulated her to this unparalleled act of benevolence, which has led her to give 20,000,000*l.* for the redemption of the captives, see England robbed of its money and the slaves cheated out of that liberty for which that price is to be paid, and remain silent?

They have given pledges that the coloured people shall be free; and the regard they have for their own characters, their duty to God and their fellow-creatures, will compel them to see those pledges redeemed. The council has had fair warning on this subject, and we feel it to be our duty to predict, without any pretensions to the gift of prophecy, that should this act obtain its sanction, Mr. Stanley will be immediately applied to to have it cancelled; and that if he refuses to do his duty, representations, showing the condition of the Hottentots under the old Vagrant Acts, which contain nothing beyond the spirit of the present ordinance, will be published and circulated over every part of the United Kingdom, and its voice will be heard within the walls of the House of Commons; a voice that will reach to each one of our colonies, and make them to tremble to all their extremities. Thanks to the press, nothing can now be done in a corner, as formerly; and we would beg the council to remember, that however closely their doors may be shut, a single word only is necessary to turn the eyes of all England upon its proceedings. If the colony, notwithstanding all that has been said, must have Vagrant Acts, I have one to recommend that will be much more effective than that proposed in the draft of the present ordinance; that will do good, nothing but good, and that is not attended with the slightest harm. If men are to be apprehended as vagrants, instead of sending them to be lodged with and worked as felons, let the government provide land for them; let them have the means of carrying them to the spot or spots on which they are to be located; let a decent man, with a moderate salary and a certain portion of magisterial power, be appointed to reside among them; let schoolmasters be appointed for them, and let ministers and missionaries have access to them; allow no one to erect a canteen among them, and by this means the country will save much unnecessary expense, the people themselves will be elevated, and the evils which might arise from the system of forced labour, and their being associated with felons, will be prevented. This is a scheme which it is in the power of government this moment to adopt, and by its adoption it will confer a blessing on the colony, and secure to itself the approbation of the civilized world. The government has at this time many proposed, and if it is thought advisable to collect them all into one place, it has at this moment a country between the Fish River and the Keiskamma which may be disposed of in this way, if it is not intended to give it wholly back to the Caffres: if this plan is adopted, the government will hear little more on the subject of vagrancy; the necessity of vagrant laws will vanish with the motive which makes so many clamorous for them, and the expense of such a plan will be, comparatively speaking, nothing. The government may assist them in erecting small huts, and by furnishing them with a few sheep and goats, at one-tenth of the expense of the buildings that will be necessary to maintain the vagrants at the drostdy towns, independent of the continued expense that the rations and clothing of those that will be collected together, if the provisions of the ordinance should be enacted as a law. If in the execution of this plan the government wished to avoid all risk, and to prevent all abuse that might arise from it, let the districts in which those vagrants are apprehended be called upon to defray the expense of transport to the new settlement; and to this part of the plan those districts can make no objection, if the grievance be in reality what they state it to be. Collect them together in one place, and give them a country as you have given to the Hottentots on the Kat River, and you will find men in this colony who will take the charge of all the vagrants in the colony,

colony, without requiring a single soldier to maintain order among them, and who will give you back, instead of a ruined people, which would immediately follow from the workings of the ordinance proposed, an industrious and a virtuous population.

A. COLONIST. (*J. Philip.*)

*Postscript.*—We had intended to have followed up this letter on the influence this ordinance will have, should it pass into a law, on the tide of emigration that has lately been directed to this colony; but, on second thoughts we shall add, in a few words on this point, all that is necessary at present. When the first of the juvenile emigrants which arrived in this colony were shipped in the Thames, some English journals spoke of their probable future condition in terms of commiseration, with which we could not then sympathize; the present ordinance will, however, no sooner be known in England than that commiseration will be deep and general. The leading journals of the kingdom will consider it their duty to publish it, and to whatever part of the world emigrants may be sent from England in future, there is an end to the importation of any more of them to South Africa; as soon as it shall come to be known that our emigrants are to be placed under such an ordinance, there will be but one feeling expressed over the whole kingdom; and it is unnecessary to say that that will be anything but favourable to us. The general sentiment in England will be, We would rather follow our children to the grave than see them placed under the operation of a law which will convert them into vagrants, and herd them and work them with felons.

*J. P.*

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The MEMORIAL of *John Philip*, D.D., Superintendent of the London Missionary Society's Missions in South Africa.

Sheweth,

THAT memorialist has seen in the Government Gazette, of date the 9th of May 1834, the draft of an ordinance, intituled "An Ordinance for the better Suppression of Vagrancy in this Colony."

That from his knowledge of the past and present state of society in this colony, of the relations in which the different classes of the inhabitants stand to each other, and of the feelings and sentiments which have arisen out of that state and those relations, memorialist is deeply impressed with a conviction that such an ordinance is not needed at the present moment, and it will check the improvement of all, but particularly of the poorer classes, and open a door to much oppression, and to great and lasting evil to the whole colony.

That in the years 1829 and 1830, when the aboriginal inhabitants of this colony were suddenly relieved from the oppressive weight of laws similar to that in contemplation, and under the administration of which they had long suffered the most cruel and wanton acts of severity, as well as systematic injustice, the European colonists were induced to believe that all who were in their service would immediately desert them, would assemble as regular banditti, and commence a system of plunder and devastation for subsistence and revenge, and that "vagrant laws" were therefore indispensable for the protection of property and life.

That in the beginning of the year 1830, two years after the promulgation of the 50th ordinance, when the outcry against the vagrancy and crimes of the Hottentots was at its greatest height, memorialist, with a view to ascertain the condition of the missionary institutions and that of the Hottentot nation generally, visited every district of the colony, with the exception of Graaf Reinet and Beaufort, and after pursuing his inquiries for the space of nearly four months with all diligence, and making use of all the sources of information to which he had access, the conclusion was forced upon him that the alarm had no foundation but in the minds of the inhabitants, astonished at finding their arbitrary power over the free coloured population suddenly abolished, and naturally anxious to recover it at any sacrifice, even of their own liberties.

That individuals, both farmers and magistrates, when questioned as to the effects of the ordinance with respect to their own property, and in their own immediate neighbourhood, admitted that vagrancy and crime were on the decrease; though they uniformly affirmed that they had positive information that at certain distant places the reverse was the case. On visiting those distant places, memorialist received the same direct testimony, and heard the same reasons respecting the places he had left.

That, about the same period, his Excellency the Governor caused inquiry to be made by official persons into the truth of some specific charges of vagrancy and plunder brought against these people in the district of Albany, and the result was a complete exculpation of the parties accused, accompanied with the most decisive proofs of their general good conduct and habits of industry.

The consequence was that the 50th ordinance remained untouched, and the liberties of the people were saved.

That ever since the publication of the 50th ordinance the character and condition of the Hottentots have been rapidly improving.

That your memorialist, in the year 1825, visited a great portion of the districts of Graaf Reinet and Beaufort; and in these two districts, particularly on the further side of the villages of Graaf Reinet and Beaufort, he found the Hottentots, Boschmen, and other people of colour, in the service of the farmers, under the system of forced labour, in the most deplorable condition in which it is possible to imagine any class of labourers to exist; they were for the most part without any clothing but the filthy sheepskin kaross; in their appearance indecent, in their habits filthy in the extreme, often without any food but the offal

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offal of sheep killed for the families of their masters; with no stimulus to labour but fear and coercion, their countenances exhibited every mark of the deepest dejection and wretchedness.

That in 1832 memorialist visited many parts of the same country, and discovered that amongst this class of people, who had not even heard of the 50th ordinance, the publication of that ordinance had been attended with beneficial effects, visible in their appearance; their masters had not informed them that there was any change in the law, but knowing that if they escaped from their control they could not recover them as formerly, kindness had been substituted for coercion, the people were better clothed and better fed, the masters had relaxed in the austerity of their manner towards them, they were permitted to enter the houses of their masters and to stand erect before them, and there was cheerfulness in their countenances, and humanity in the conduct of both masters and servants towards each other, that he nowhere observed amongst the same people in 1825.

That the proposed ordinance will instantly bring back things to their former condition; that a system of forced labour makes reluctant servants and cruel masters; that absolute power destroys the temper of the best of men; that it is at utter variance with all the principles of the human mind, and that if it is again adopted in this colony, it will instantly operate in checking all the signs of improvement which have been alluded to, and reduce every thing to that standard of wretchedness below which it is impossible for human beings to descend.

That the rate of wages, in many parts of this colony, is not higher than 18 rix dollars per annum; that the average of wages received by the Hottentots belonging to Caledon institution, in the neighbourhood of Swellendam, is not more than 4*s*. 6*d*. per month; that out of this sum they have to support their families, and to clothe themselves and their wives and children; that without the labour of the women in the gardens of the institution they could not subsist, and that there are many Hottentots in a state of freedom, not because they are averse to the service of the farmers, but because they can support their families better in a state of independence than they can in that service, whom the proposed ordinance will reduce to a state of indescribable misery; because, this class of people being forced into the service of the farmers, in addition to those already employed, will injure both, by reducing still further the miserable pittance of wages allowed the latter. The only thing required to induce the Hottentots to enter into the service of the farmers, is to enable the farmers to give a higher rate of wages to this class of people.

That the practice of forcing them into service will deprive them ultimately of any pecuniary remuneration for their labour, take from them the means of providing for their families, and bring them and their children under the necessity of stealing or starving; that the masters not having that interest in their wives and children as they had in the wives and children of slaves, and feeling himself under no legal obligation to provide for them, to save the children from starving, the proposed ordinance, should it be enforced, must shortly be followed by another for apprenticing the children, as under the old Hottentot system; and thus, as one error leads to another, the system of forced labour, by reducing the wages of the labourer, will entail upon those unhappy people the worst evils of slavery; evils that will have no end but with the lives of the sufferers, or the extermination of their race. That the Hottentots, when they have good wages or a fair remuneration for their labour, have proved themselves to be an industrious and honest people; that a great proportion of those on the Kat River never were at a missionary institution, but were of that class of people that, under the proposed ordinance in the hands of the local authorities, will come under the denomination of vagrants, and yet there is no place in the colony where industry and good conduct are so conspicuous amongst an equal number of people; that during seven years there has been but one criminal case brought from that settlement before the circuit court, and in that case the man was acquitted; whereas in Albany, amongst an equal number of people, the list of crimes before that court every six months is appalling.

That the proposed ordinance is particularly objectionable in this colony from the great distance at which many of the inhabitants reside from the seats of magistracy, great numbers being from 50 to 150 miles distant from drosdty villages; that owing to this circumstance the execution of the ordinance must rest with the field-commandants, field-cornets, and provisional field-cornets of the districts; that in present circumstances this class of men in the remote districts feel little or nothing of the control of government, which is the occasion of great hardships and suffering to those under them, and even threatens with destruction the good and peaceable natives in their neighbourhood who decline entering into their service or the service of their friends.

That the disposition towards the coloured races evinced by many of these officers on a late occasion, even in the Cape and Stettenbasch districts, sufficiently demonstrates the inexpediency of investing them with such powers as those contemplated by the proposed ordinance, many of them having joined the most violent of the boors in publicly defying the authority of government, and resisting, with open threats and acts of insubordination, every attempt to ameliorate the condition of the slaves in this colony.

That there is scattered over the surface of this widely extended colony a considerable portion of the natives who have always maintained excellent characters, and who have still in their hands the remnants of their original property, together with the fruits of their own industry, who have been great sufferers, until the passing of the 50th ordinance, from the farmers not allowing them to graze their cattle in their neighbourhood, as they did formerly when they could have their children apprenticed to them, and all this respectable class of people will immediately fall under the operation of the proposed ordinance, and be reduced to a state of vagrancy.

That

That memorialist does not mention this as a calamity which is only likely to take place but as one which has already begun to be felt in many parts of the colony, and to such an extent as to have already reduced that class of people to a state of despair. During last week not less than 200 of this description of people came to the Missionary Institution of Pacaltsdorp, stating that the field-cornets had said to them that they were no longer to be allowed to remain without masters; that they must enter into service or leave their habitations; that the 50th ordinance was to be taken from them, and, under the impressions produced by these communications, the people begged and prayed to be received into the institution as if they had been begging for their lives.

That the original lands of Pacaltsdorp, the institution referred to above, do not amount to more than what in this colony is called "half a place." To provide the means of subsistence for the people a few years ago, the London Missionary Society allowed its agent to purchase another "half place," to be added to the institution.

Upon this place, which is considered as small enough for a single family of colonists, we had in February last no less than 516 inhabitants; and it is obvious that the hundreds who will be driven to the institution by the operation, and even by the dread of the proposed ordinance, must reduce the whole population to a state of absolute starvation.

That what is now occurring at Pacaltsdorp will be more or less the case at all our institutions; and it is to be expected that the people at present generally in service, as soon as their terms expire, finding themselves brought under the yoke of the proposed ordinance, will leave the places of their masters and flock to the missionary institutions, and there prefer perishing in a state of freedom, which they have already tasted and learned to appreciate, to returning to that state of bondage from which they had been delivered by the 50th ordinance, and which many of them cannot look back to without shuddering, and expressing their thankfulness to God for having delivered them from it.

That memorialist always contemplated it as a good that it was hoped would result from the 50th ordinance, that it would in the course of time supersede the necessity of keeping the Hottentots and other people of colour as a separate people, and give rise to a more natural state of society in this colony, by bringing the masters and labourers to live together as in other civilized countries; and it is therefore matter of deep concern to see the draft of an ordinance, which, however well intended, must from the peculiar circumstances of the colony destroy all this hope, and leave the wretched labourers no other asylum but such as they may find in those institutions.

Submitting these considerations to his Excellency and the Honourable Council, memorialist humbly prays that the proposed ordinance may not be passed into a law. Your memorialist, as in duty bound, will ever pray.

Cape Town, Cape of Good Hope,
10 June 1834.

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His Excellency the Governor and the Honourable Members of Council.

The Memorial of *John Philip*, D.D., respectfully showeth,

THAT memorialist, having seen his former memorial praying that the draft of the ordinance for the suppression of vagrancy should not be passed into a law, has been sent to the civil commissioners of the districts for their remarks and observations thereon, now begs permission to lay before the honourable council the opinions of the missionaries residing at the institution under the superintendence of the London Missionary Society in this colony, on the certain and inevitable consequences of such a law on the civil rights and moral and religious improvement of the coloured classes of natives, namely, the Rev. W. Anderson, the Rev. H. Helm, the Rev. J. Melville, the Rev. J. Kitchingman and the Rev. G. Barker.

EXTRACT of a Letter from the Rev. *W. Anderson*, Missionary at Pacaltsdorp, dated 16 May 1834.

TOWARDS the close of the week a great number of Hottentots, &c. came from all directions, wishing to have their names enrolled in the institution, for a great stir had taken place. I consider it to be my duty to reject none who were willing, and had no legal hindrance; many who had been formerly in the place returned.

Our numbers were in February, including men, women and children, 516; the number has increased to 704, and I expect more.

Some of the new-comers told me they had been informed if they did not now enter an institution, they could never do it at a future period. Some said, we have been warned by the field-cornets to go to Pacaltsdorp, or to enter with some one into contract, otherwise we could not remain. One woman remarks, "Sir, I am the wife of a slave; I have two children; I reside at the next farm; the place is at Klynberg River. I work in the neighbourhood for my support. The field-cornet came and told me I must go to Pacaltsdorp, or enter somewhere into contract." She answered him, "You take me by surprise; if I go and offer my services, an advantage will be taken; each will say, 'I do not want you; but if you will engage for your food, and some trifle more, I will take you.' This, I said, will not do, sir;" and she begged me to receive her.

How it will go with Hottentots at a distance from institutions, cannot now be readily known; however, it is now apparent some of the Hottentots have a place of refuge. I suppose that many will go to the Kat River.

*P.S.*—Since writing the above many more have come; it seems the storm is only rising or commencing. Where is the 50th ordinance now, or where will it be soon?

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11 July 1836.

EXTRACT of a Letter from the Rev. *W. Anderson*, Missionary at Pacaltsdorp, dated 30th May 1834.

ON the 20th instant a young woman, very decently dressed (I took her for a farmer's wife), came to make some inquiry of me. I asked who she was. "I reside at Mr. Camphor's. What is your name?—Leentjee. What do you wish to have of me?—To have my name registered. Tell me the reason of your desire?—I hear if we do not belong to an institution, we must enter a contract with the farmers for our lifetime. Is Mr. Camphor willing that you should remain on his place?—Yes. Then go and tell Mr. Camphor he can have your name registered as the wife of his slave, or as a work-maid, without contract.—I thank you, sir; I came to ask for information;" and she left me to return home, seemingly satisfied.

On the 26th instant a Hottentot and his wife, named William Oldrecht, who did some time ago reside here, but at present at Mrs. Meyers, came to me requesting to be admitted. "And why do you wish that?—It is my desire, sir. But tell me your reasons?—There are so many reports spreading, that I do not know what to credit; some say all who are not in an institution must be in contract with some one or other. I spoke to Mrs. Meyer, but she could not satisfy me, and said it would be better to come and ask you. Is Mrs. Meyer willing that you remain?—Yes, she has given me the use of a small house, and she has no objections to my residing there. Go, then, and tell Mrs. Meyer she can have your name and occupation registered as on her premises." He thanked me, and returned home.

On the 28th inst. a woman came, Sarah Hans, with her two daughters, one 18 years, the other eight years of age: "What do you wish to have?—To come and reside here. Is your name not already taken down by the field-cornet, where you have resided?—Yes, the young man who came to take the names for the field-cornet took down mine; but I told him not to do it, as I was about to leave for Pacaltsdorp. 'No matter, I must have your name.—You see I am making ready to remove. I will take your name, and you may go where you will.' I cannot enter your name here unless I know it is put out of the field-cornet's book.—Sir, do enter my name; I will go to the field-cornet and tell him I have entered here. I will take down your name upon that condition.—Sir, you may depend upon it I will go.

On the 20th instant the wife and children of Stoffel Hilbraad, who formerly resided here, came to have admittance. I asked, "Where is your husband?—He is not at home, but desired us to come here. When your husband comes I will take your names." A few days after he came; "Is your name registered by the field-cornet?—Yes, he called me, and took down my name. Then I cannot admit you for the present, or it will cause confusion; go to the field-cornet, and tell him your case." He went, and having met him on the road upon his return, said, "The field-cornet says it is well; he will put out my name in his book." I immediately entered his name.

EXTRACT of a LETTER from the Rev. *G. Barker*, Missionary at *Theopolis*.

ON the effects which this ordinance will produce, I can only at present offer an opinion. My opinion is that it will nullify in toto the 50th ordinance, bring us back to precisely where we were previous to its enactment, and bring upon us all the annoyance we suffered from the old system; one of its first effects, after the excitement created by it, will be a reduction in the price of wages. Every field-cornet and deputy field-cornet will bring his share of the Hottentots he may have caught, or that may have been caught for him, to the market at a reduced price; none will give higher wages for the people than those at which they can hire them for from the local authorities of the district, because those that have Hottentots well know that if Hottentots refuse the wages offered them, they have only to let them go, and after they are gone secure them on the road, and carry them to a field-cornet, where they will be obliged to hire themselves. This is not all: this Vagrant Act having made vagrants of all the people not in service, the misery occasioned by a reduction of wages must be followed by the law of passes; the one must follow the other. When this enactment shall come to be in force, Hottentots and all people of colour must have passes in their own defence, or they will be liable to be secured and carried away by any white that may meet them on the road. Do you remember the English settler coming to the Church at Theopolis one Sabbath morning, with a halter or riem in his hand, to catch a stray Hottentot, and the Hottentot getting out at one door, and the settler with the halter or riem in his hand getting out at the other after him? We should have been called liars for mentioning this fact, if it had not taken place before a whole congregation. Let this ordinance be passed into a law, and every Hottentot on Sabbath or Saturday, at church or market, who has not got a pass, will have some one or other ready to put a halter or riem about his neck. On the principle that one mischief is sure to make way for another, reduced wages and passes must be followed by the apprenticing of the children; for how can the children be supported and have food if the fathers have nothing for their labour? After this law has passed, we shall hear a great deal about the perishing condition of the Hottentot children; the humanity of Government will be appealed to; and after having deprived the Hottentots of the means of supporting their children, Government must repair the mischief it has done by reducing the wages of the Hottentots—a fact that it will endeavour to keep out of sight, by taking the children from the hard-hearted Hottentots, and giving them to the kind-hearted boors. Nothing can be more plain than the path to prosperity; nothing more crooked than that which men get into when they go wrong.

Would our legislators leave the people alone, things are rapidly finding their own level; the

the minds of the people were calming after the storms they had formerly to go through; better feelings and more industrious habits are gaining the ascendancy; but the tendency of this Act will be to break down the spirits of the coloured races, destroy their energy, shut them up in despair, and to put a stop to all improvement. Any existing disorders among the coloured people are caused by the canteens, and the canteens only; and in these the poor creatures are led by those who are most loud in their clamours for a Vagrant Act. Why should government entrap the people by its canteens for all the paltry revenue it receives from those hells; and why should it make the whole of the people vagrants for the sins of those that it has actually tempted to become drunkards? But whatever the views of Government may be in this business, we know that the clamour for this Vagrant Act does not arise from the fears but from the rapacity of the people that are clamorous for it; they would not allow, if they could have their wills, a man of colour in the country to be able to call a child he has, or a muscle or bone of their bodies, which they could not buy and sell in the market at their own prices, his own. We know, and every one knows that knows anything of this colony, that crime has been decreasing in the country ever since the passing of the 50th ordinance; and every one that knows this must know that we have no need of a Vagrant Act, and that such a Vagrant Act as the one proposed must bring us back to what we were. The field-cornets about us have yet done nothing, I mean nothing that is known to us. I have yet received no forms of instruction on the subject, though I saw them on the 14th of May in the office of the field-cornet at Bathurst. It is well that all those in authority have not been so wise, or we might not have heard anything of the matter till we heard that the poor were dragged before field-cornets to prison to be forced into contracts. Our people are, however, greatly alarmed; they have heard from the farmers what is to be their fate, and whatever the Government may mean when it has put the power into the hands of the field-cornets, all know how it will be used. They will not view the commission as a commission of the peace, but as a commission authorizing them to make war upon every peaceable Hottentot they can lay their hands upon; and who is to check them or call them to an account? Let them answer this question who can. It thus far proves you will have all your old work to do over again, and I can promise you it will not be long when you will have plenty of cases to add another volume to your researches.

That memorialist fully coincides in opinion on this subject with the writers above quoted, and he has further to represent that he has carefully perused the memorials from Graham's Town and from Graaff Reinet, praying for the passing of the draft of the ordinance into a law, and the reports of the proceedings of the meeting convened for drawing up the memorials and transmitting them to the honourable council, and have looked in vain over those memorials, and on the resolutions and speeches appended to those memorials, for anything like a fact or the shadow of an argument to justify the prayer of the memorialists for the passing of the draft of an ordinance into a law. That memorialists can see but one thing in the above memorials and speeches; that it is the wish of the said memorialists to receive for their slaves the money that the British Government has pledged itself to give them for their redemption, and to have the slaves given back to them under a new and not less severe form of slavery, and to have an addition to the perpetual and compulsory services of the slaves and the free aborigines of the country, as an additional compensation placed under the same law of slavery, to be theirs and their children's in every succeeding generation.

That memorialist had the 50th ordinance submitted to him by the heads of the Colonial Office in Downing-street, for his opinions on it, before the seal of the King and Council was affixed to it; and that, after consulting Dr. Lushington, Mr. Buxton and others, on the subject, with their advice memorialist drew up a letter, which was addressed to —— Stephen, esq., in which he gave his consent to the 50th ordinance as it now stands, on the ground that it was to be considered, and particularly the 2d section of it, securing them against being arrested on the charge of vagrancy, except after trial in due course of law, as an additional protection to that afforded by the declarations of Parliament, which placed the Hottentots under the same law as the other colonists, whether Dutch or English, in the same manner as orphans, apprentices and soldiers have additional protection afforded them in England; and memorialist was assured by Mr. Stephen, that the views of memorialist were in perfect accordance with those of His Majesty's Government.

That on the above ground memorialist considers that Hottentots, and other free people of colour, are now suffering, by being forced into service, and obliged to solicit passes from the field-cornets, contrary to law; and that, as no ordinance in this colony can affect their liberties till the King and Council shall be induced to sanction the abrogation of the 50th ordinance, memorialist submits to his Excellency the Governor and the honourable council, whether it would not be advisable to relieve the Hottentots, and other free persons of colour, from the oppressions they are now suffering, till the pleasure of the King and Council upon this subject shall be ascertained.

And your memorialist, as in duty bound, will every pray.

That memorialist has further received from the Rev. Mr. Anderson, resident missionary at Pacaltsdorp, a letter on the same subject, of which the following is an extract:

"Pacaltsdorp, 19 July 1834.

"The good-for-nothing Hottentots begin to be an object worthy of notice; all means are used to secure their labour; the plan of driving them to the institutions, or rather the plan which drove them there, is found not to answer the purpose. The present plan seems to be, the Hottentot, being enregistered under the jurisdiction of the field-cornets, he cannot leave without permission; copies of which I have. Another restriction is, he cannot move without a pass. I have but little time to write this week, being Saturday, and I am not very well; however,

No. 2. Papers referred to in Evidence of the Rev. *J. Philip*, D.D. 11 July 1836.

however, the letters, copies of which I shall add, will give you a sufficient idea how things are going on. You will see how I have treated the subject with the magistrate. What must become of those poor Hottentots who reside far from a missionary institution, where they have none to plead their cause? I shall also enclose a pass. I have taken a copy, signed by Mr. Wood.

I have, &c. &c.

(signed) *W. Anderson.*

" Mynheer W. Anderson, " Dyzels Kraal, 21 July 1834.

" Ik doet Ue weeten dat de veld^n cornet by my geweest is en ik heb moeten op geven hoe veel volk of deze plaats is en dat er geen een zouder pass mag gaan zo dat ik niet weet hoe ik my daar en gedragen zal. Ik kan niemand na de vee sturren zouder pas dus is myn verzoek our my be schryoen hoe ik my moet gedraagen. Heer meede verblyf ik Ue met groeten Ue andardaan.

(signed) " *Jonas Botha.*"

Letter from the Rev. *W. Anderson*, Missionary at Pacaltsdorp, to the Magistrate at George; of which the following is a copy:

Sir, Pacaltsdorp, 19 July 1834.

With reference to the introduction of a demand which has lately been made to some of the people belonging to this institution for a pass, complaints have been made to me, and I have also been asked whether such a demand is legal or not; to which I have replied, that it was not legal; but as I have this morning received a letter from the superintendent of our *bee* (*i. e.* beeve, cattle) place, Dyzel's Kraal, Jonas Botha, a copy of which I shall enclose, and also send to you the bearer of the said letter. It may be proper for me to observe, I did enter Dyzel's Kraal, with the names, &c. &c. of those residing there, in my return made to government on the 2d of June last.

In order to prevent mistakes, or any confusion, you will greatly oblige me by a reply.

I have, &c. &c.

To W. A. Wentzel, esq. (signed) *W. Anderson.*

Letter of the Magistrate of George to the Rev. *W. Anderson*, Missionary at Pacaltsdorp; of which the following is a copy:

Sir, Resident Magistrate's Office, George Town, 19 July 1834.

In reply to your letter of this day's date, addressed to the resident magistrate, I beg to state that I have taken the earliest opportunity to explain to the field-cornet, in whose ward the place Dyzel's Kraal is situated, that as the residents of the said place have been entered in your return, made to government on the 2d of June last, therefore it is not required for him to include them in his return, and that he must observe strictly the ordinance No. 50, and especially its 1st section.

I have, &c. &c.

To the Rev. Mr. Anderson, Pacaltsdorp. (In the absence of the Magistrate) (signed) *J. Johnson*, Clerk to the Resident Magistrate.

Translation of *Jonas Botha*'s Letter, *Dyzel's Kraal*, 21 July 1834.—[This date is an error.]

Mr. Anderson,

Sir,—I beg to inform you that the field-cornet has been to me, and ordered me to give up the number of people there is on this place, and that not one must dare to leave the place without a pass; so that I do not know how I am to act, as I cannot even send a person to look after the cattle without a pass; therefore pray write me how I am to act.

I remain, &c.

(signed) *Jonas Botha.*

*N. B.* Jonas Botha paid this year 15 *s.* taxes, and with his receipt he must carry a pass; to please who?

Copy of Botha's Pass.

Comnassie Den 16 July 1834.

Laat passeeren in reepasseeren deze Hottentot ginearud Loomak nan Pampoen Kraal, disstrik George, voor vier dragen.

(signed) *F. C. Marneweck*, de ande.

Translation of the above Pass.

Comnassie, 16 July 1834.

Suffer to pass and repass this Hottentot, named Loomak, to Pampoen Kraal, district of George, for four days.

(signed) *F. C. Marneweck*, senior.

Letter from the Rev. *G. Barker*, Missionary at *Theopolis*, dated 22 July 1834; of which the following is a copy.

Reverend and dear Sir, Theopolis, 22d July 1834.

Since writing you on the 18th ultimo, I have had more time for reflection on the subject of the proposed Vagrant Law. I have seen no arguments, *pro* or *con*, beside what have appeared

appeared in the "Graham's Town Journal:" but arguments are unnecessary; a moment's reflection is sufficient to decide the question. The conviction on my mind is,

1st. That however cautiously that Act may be worded, it is specially aimed at the coloured classes of our community. That it is thus viewed by those who are so clamorous for the measure is obvious, from the zeal with which they urge its adoption: no man will forge shackles for his own legs.

2d. Its annoying effects will assuredly fall exclusively on the coloured classes, for this plain reason; it gives a power to the petty authorities to apprehend all persons whom they suspect, or may pretend to suspect, and from the station which such men generally hold in society, it is not to be expected that they will suspect any but men of colour. We shall have precisely the same description of men to administer this new law as were the administrators of the laws under the old system, with exactly the same prejudices against the natives, and nothing can be expected from them but the same tyrannical mode of procedure.

3d. The consequence of passing that Act will be to drive multitudes of natives to the missionary institutions, or out of the colony, if, as some assert, it will not render the 50th ordinance a dead letter; for of that ordinance His Majesty's Commissioners of Inquiry remark, "The Hottentot will now no longer be dependent on the caprices of the landdrosts for permission to repair to the missionary institutions." One would think that at our end of the colony men had more sense; for it is obvious, that to lessen the number of labourers, where labour is in such general demand, is a serious evil to the community, and this Act, if passed, will tend materially to lessen the quantum now in the market, unless coercive measures are resorted to, in order to keep up the supply, which measures being contrary to the spirit of the 50th ordinance, must render it a dead letter. It is beyond comprehension how men can declare in the face of such indubitable evidence, that there is no analogy between the proposed Vagrant Law and the proclamation of 1809, when His Majesty's Commissioners express themselves so directly on the point at issue between those who defend and those who oppose the new law. They charge the old law with gross partiality, whereas the Commissioners say, "It is to be inferred from the language of the first clause of the proclamation of 1809, that it was the intention of the framers of it to place the Hottentots on the same footing as the other classes of the free inhabitants, and in point of fact, the regulation which it prescribes of an entry of their names and places of abode, in a book to be kept by the landdrosts of the districts, has been made equally applicable to all classes except that of the slaves." Here we have the framers of this law exculpated from all partiality, and must look to another quarter for that "flagitious iniquity," as they term it, of the working of the old system. The Commissioners of Inquiry were in the secret; and observe, on the administration of that law, as follows: "Upon leaving their places of service the Hottentots repaired to the field-cornets of their districts, from whom they received papers and directions to find a master, but which were only valid within their field-cornetcy, and subject to the discretion of the same officer as to time. If they wished to go beyond the limits, application was required to be made to the landdrosts for permission. In the exercise of this discretion, neither the landdrosts nor the field-cornets were subject to any control, and from the evidence that was collected at Uitenhage, it appeared that the period allowed in the passes varied from six to eight days, and that in several which had been given by the landdrost himself, the Hottentots were required to find masters immediately. Considering the dispersed state of the inhabitants of the colony, this limitation has been attended with advantage to the Hottentots; and it is not unfair to presume that the field-cornets and landdrosts have been disposed generally to abridge the period, as well as the distance to which their permissions have extended, with a view to the monopoly of labour within their respective districts; for although it was declared that a Hottentot was free to make another engagement, or to act in any other manner that the laws of the colony admitted, yet in the event of his not making a new engagement, he was liable to be apprehended as a vagrant at the expiration of the time mentioned in his pass, thrown in gaol, and a master provided for him, who either advanced or became responsible for the expenses of his detention. The keepers of the different gaols, who were allowed to have an interest in victualling the prisoners, and also a power of apprehending vagrants in the town, were not remiss in this part of their duty; and there is no doubt that the contracts made with the Hottentots under the circumstances just described were very disadvantageous to them.

"This being the practical effect of the proclamation of 1809, it frequently became a question what condition of life or what employment was contemplated by the framers of it, when they declared that the Hottentots were free to act in any other manner that the laws of the colony admitted. Those who have had the administration of this law have complained of being left in ignorance of its meaning, and have subjected the Hottentots either to arbitrary restraints or entirely negatived their right to act or be considered as free persons. Whatever may have been the ulterior views of government, the system then acted upon has been unceasingly pursued, but in some districts with more severity than in others. In reporting on the civil and criminal laws my colleagues and myself had occasion to notice the insufficient protection which the proclamation of 1809 had afforded to the Hottentots against the undue severity of their masters, as well as the feelings which had prevailed in the provincial and colonial courts whenever the claims of the Hottentot servants to indemnity were balanced against the oppressive authority of the masters."

The above extract speaks volumes, and needs no comment. Although the commissioners expressed their views on this subject with extreme caution, the above extract affords an epitome of the working of the old system; it shows the annoyance to which the Hottentots were exposed, gives a lucid picture of what we may expect from the proposed Vagrant Act if passed into a law, and unfolds the secret spring of all the injuries to which the Hottentots

No. 2. Papers referred to in Evidence of the Rev. *J. Philip*, D.D. 11 July 1836.

have been exposed. This extract appeared in the Graham's Town Journal, and seems to puzzle the wits of those who have come forward to advocate a vagrant law, although it has not ceased their clamours.

I have, &c.

(signed) *G. Barker.*

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CORRESPONDENCE of the Magistrate of George with the Rev. *W. Anderson*, Missionary of Pacaltsdorp, with his Answers.

Resident Magistrate's Office, George Town,
17 June 1834.

Sir,

IT having come to the knowledge of government that an unusual number of Hottentots have recently located themselves at your institution, I have received a communication to ascertain the truth of the said statement, and if so, the number and what cause can be assigned; the more so, as a report has been made that a field-cornet had said to them that they were no longer to remain without masters, that they must enter into service or leave their habitations, and that the 50th ordinance was to be taken from them.

I have, &c.

To the Rev. W. Anderson, &c. &c., Pacaltsdorp. (signed) *W. A. Wentzel*, Resident Magistrate.

Pacaltsdorp, 20 June 1834.

Sir,

IN reply to your communication of the 17th instant, I beg to state the following: The number of individuals belonging to this institution, previous to April last, was 516, including men, women and children; the number was, at closing my return to government, 895, making an increase of 379. With regard to the causes to be assigned for this large increase it is not in my power to specify, as the order for a return to be made to government was general in all the field-cornetcies. This appears from a circular from government, a copy of which I received. Many who came for admission were formerly belonging to the institution, but had been long absent; many came from George Town, and places adjacent, requesting admission; the reasons assigned were various, and it would be impossible for me to offer a specific statement. I can only say that a very unpleasant feeling and sensation seemed to prevail, that if they did not now enter the institution, they would not be able at a future period; that they would have to enter into contract service with the farmers. This idea seemed to prevail, but to trace the source of it I cannot; I can only say I used no influence whatever, nor gave the least encouragement to their seeking admission. I did all I could to allay the impression which seemed to have caught hold of them; in three cases it had the effect, the persons returned seemingly satisfied. In reference to the report of the field-cornet, I did hear of a case related by a woman from Draagveldt, who came for admission; she said the field-cornet told her she must go to the school or enter somewhere into contract. With regard to any remarks upon the 50th ordinance, I have not heard of any. With regard to my act of admitting, I pursued my usual course, not thinking it to be my duty to reject any, who, upon inquiry, had no legal hindrance, and requested admission.

I have, &c.

(signed) *W. Anderson.*

To W. Wentzel, esq., Resident Magistrate, George.

Resident Magistrate's Office, George,
20 June 1834.

Sir,

WITH reference to the latter part of your letter, of this day's date, I beg you will be pleased to direct the woman from Draagveldt, who applied to you for admission, and stated that the field-cornet told her to go to a school or engage somewhere under contract, to attend at this office without delay.

I have, &c.

(signed) *W. A. Wentzel*, Resident Magistrate.

Rev. W. Anderson, Missionary, Pacaltsdorp.

Pacaltsdorp, 20 June 1834.

Sir,

The bearer, Catryn Moos, is the person who related to me what the field-cornet said. I have directed her to attend your office to state the same.

I am, &c. &c.

W. A. Wentzel, esq. Resd. Mag. George. (signed) *W. Anderson.*

*P. S.* June 21.—Catryn Moos returned, told me she had attended the office of the magistrate; after having been sworn, she related the same to the magistrate that she had done to me, and told him that she was the wife of a slave of Michael Beger; she had six children; she could not support them by engaging in contract, and was happy that she had now an opportunity to have her children instructed. The woman appeared very decently clothed.

(signed) *W. Anderson.*

No. 2.
Papers referred to in Evidence of the Rev. *J. Philip*, D.D. 11 July 1836.

CORRESPONDENCE of the Magistrate of Uitenhage with the Rev. *J. Kitchingman*, Missionary at Bethelsdorp; of which the following are copies:

Sir, Civil Commissioner's Office, Uitenhage, 27 June 1834.

The accompanying letter, received by me from field-cornet Buchner, being an original, I request you will return to me per bearer, whom I have desired to wait for your answer. You will perceive that Caffres and other people, without passes, are also congregated at Gorah, under pretext of being likewise inhabitants of Bethelsdorp; and as I need not say that this circumstance may not only tend to injure the character of the Bethelsdorp people, who have been allowed, by government letter to me of the 12th of June 1829, copy whereof was forwarded to the Rev. Mr. Robson, to occupy that land provisionally, but also that such a collection of various people, under no control whatever, must inevitably lead to irregularities, &c.; I am therefore extremely anxious to be favoured with your opinion, whether it would not be advisable for the Bethelsdorp people to quit Gorah as soon as possible; and if so, the sooner they are recalled the better. Should you, however, conceive that their immediate removal from that place will likely be attended with any ruinous consequences to them, please to state your reasons fully for thinking so, in order that I may submit the whole of the case for his Excellency the Governor's decision, as it is evident that steps must be taken without delay.

I have, &c. &c.

Rev. J. Kitchingman, &c. &c.
Bethelsdorp.

(signed) *J. W. Van der Reit*,
Civil Commissioner.

FIELD-CORNET *Buchner*'s Letter to the Civil Commissioner of Uitenhage; of which the following is a copy:

Honoured Sir, Quaggas Vlachte, 27 June 1834.

Since my last communication to you, respecting the Caffres who were on the place of Vertuyn Weys and Zuurberg, I must mention to you that part of them are removed to the government ground called Gorah, about 30 in number, including women and children; and seeing that the government has permitted the Hottentots of Bethelsdorp to occupy this land, where there is a large hundred of Hottentots, including women and children, I cannot know how far I can interfere with them. I ask your Honour for instruction; for this being the case all wandering vagabonds will in future resort on that place, especially as there is no person on the place who can teach them a civilized life; and also is the conduct of these Hottentots of late not as it ought to be.

Further, Honoured Sir, I remain,

J. W. Vander Reit, esq.
&c. &c. &c.

(signed) *C. V. Buchner*, Field-cornet.

*P. S.*—It is understood that these Caffres are without proper passes.

REPLY of the Rev. *J. Kitchingman* to the Civil Commissioner; of which the following is a copy:

Sir, Bethelsdorp, 27 June 1834.

I have the honour to acknowledge your letter of the 27th instant, with the enclosure, and beg leave to state I intend to ride to Gorah to-morrow, and therefore humbly request that you will wait for my reply till the 2d of July.

I have, &c. &c.

To J. W. Vander Reit, esq.
&c. &c. &c.

(signed) *J. Kitchingman*.

LETTER of the Rev. *J. Kitchingman* to the Civil Commissioner; of which the following is a copy:

Sir, Bethelsdorp, 2 July 1834.

I have the honour to answer your letter of the 27th ult., as I promised in mine of the same date; in doing this I humbly request the liberty of making a few remarks on the statement of the field-cornet Buchner, which occasioned the communication from you I had the honour to receive. Having now returned from Gorah myself, where I made impartial inquiries into the case, I intend to say nothing but what I can produce a number of witnesses to prove.

Mr. Buchner states, "Since my last communication to you respecting the Caffres who were in the place of Vertuyn Weys and Zuurberg, I must mention to you that a part of them are removed to the government ground called Gorah, about 30 in number, including women and children;" and in the postscript he says, "It is understood that these Caffres are without proper passes." Mr. Buchner was at Gorah on or about the 14th ultimo; there was not one of those Caffres referred to at that place, so that, to say the least, this statement is incorrect; and it is exceedingly difficult for any unprejudiced person to attribute such a charge as this against the people of Gorah to any good motive in Mr. Buchner. The truth is, that some days after he visited Gorah several Caffres came to that place, all of whom have passes. I found there four men, three women and 12 children: one Caffre, named Gert, has a pass for himself, wife and children, dated Albany, 13th September 1832, and signed by W. Waddle, justice of the peace; and also the copy of a contract, which shows he served C. Vermark, of Oliphant's Hock, a year, for a cow and clothes; which

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contract expired on the 13th September 1833. Another Caffre, called Annoed, a very old man, unable, I should think, to perform any kind of service, says, he makes Caffre baskets, which he exchanges for goats; has a pass for himself, wife and sister, and children, dated Chumie, 8th August 1829, signed W. Chalmers: he says he lived two years with a farmer named Bernard, by the Fish River, when he first came out of Caffreland. Jan and Hans, two other Caffres, showed me a document, dated Somerset, 30th September 1833, signed by C. Kok, formerly special heemraad at Uitenhage, which states that they had served out their time by him. These Caffres stated that one of their number named Karel, who might be considered as their head man, was gone to Bethelsdorp to inform the missionaries of their having come to Gorah, and to speak with them on the subject. This Caffre I have seen with his wife since my return; he is well known, and has been six years in the colony. When these two are added, the number of Caffres at Gorah is as follows: five men, four women and 12 children. Mr. Buchner mentions that "there is still a large hundred of Hottentots, including women and children, at that place: this being the case, all wandering vagabonds will in future resort there, especially as there is no one on the place who can teach them a civilized life;" and also, he adds, "is the conduct of these Hottentots of late not as it ought to be." From a list of names which I took down, and inquiries I made, there were nearly 100 Hottentots, including women and children, when Mr. Buchner wrote: 40 of these are children, and 16 very old and infirm people. It must, however, be stated, that several of the men are frequently assisting farmers in the neighbourhood, and that some were, till very lately, in the employ of Mr. Buchner himself.

The field-cornet takes upon himself to predict that all wandering vagabonds will resort thither. I do not see this to be a necessary consequence; the people are ordered not to receive any but such as have our permission to live there, and to report all strangers who come. As to what is said about civilized life, I regret myself as much as Mr. Buchner can do that their means of civilization are so scanty at Gorah, but I may say there are at least some feeble attempts made to improve the people. If instructing the young be one means of civilization there is a school kept there by one of the Hottentots on Sundays, and twice a day in the week, at which about 30 or more children attend. As Mr. Buchner intimates that the people of Gorah conduct themselves badly, I shall here mention some circumstances which may have called forth this charge. When the field-cornet came to Gorah, he told the people he was come to take down their names; that government wished to know all that were in his ward, &c. &c.; some gave up their names to him, others however refused, saying they had just returned from Bethelsdorp, where they had given up their names to me, and they did not understand why they must give them up twice. Mr. Buchner was angry at those who were unwilling, said they were a set of vagabonds, that he did not know how they found the means to live, and that he would give the place a bad name. That the conduct of the people in this affair is that to which Mr. Buchner refers I infer from his not having specified any particular crime of which they have been guilty. I trust, sir, that what I have now laid before you will enable you to form some idea of what degree of credence is due to that gentleman's communication.

May I now most respectfully solicit your candour whilst I reply to what you have been pleased to bring under my notice in consequence of Mr. Buchner's communication.

Respecting the Caffres at Gorah, I leave it to you, sir, to suggest in what way I am to act. I trust you will not deem it impertinent in me to remark that I think it scarcely correct to say that the people of Gorah are under no kind of control whatever; I think that you will allow they are as much under control as the servants of many farmers on their cattle farms on which they do not reside, but only visit them occasionally to give their orders and see how things are going on. It is not long since that one of the missionaries was at Gorah, and they intend to visit it as frequently as their other avocations will permit them. I do not see that the people of Bethelsdorp could quit Gorah without occasioning much loss to this institution. There are at that place at present, in consequence of the long drought we have had, as near as I can guess from what I saw, upwards of 400 head of black cattle, many of which would doubtless have died here are improving there; and we have no place to which we could remove them at this season without great loss.

In conclusion, sir, I must say I should regret were you to still see it necessary, as you intimate, to submit the case of Gorah to his Excellency the Governor's decision; but should you do this, I have most humbly to request you will inform me thereof. My soliciting this favour is from my being a servant of the London Missionary Society, and as such should consider it my duty to inform its directors of a step which would be likely to prove detrimental to this establishment.

I have, &c.

J. W. Vander Reit, Esq. &c. &c. &c.

(signed) *J. Kitchingman.*

LETTER from the Rev. *J. Kitchingman* to the Civil Commissioner of Uitenhage; of which the following is a copy.

Sir, Bethelsdorp, 2 July 1834.

The Caffre, who is the bearer, named Karel, is the one referred to in my letter of this date. As he is near to Uitenhage I advised him to go and state the whole of his case to you, not doubting but that you will give him a candid hearing.

I am, &c.

J. W. Vander Reit, Esq. &c. &c. &c.

(signed) *J. Kitchingman.*

Lieutenant-Colonel *Somerset*'s Pass granted to the Caffre boy; of which the following is a copy:

My dear Sir,

Having given you copies of the correspondence as far as we have proceeded, I shall mention one of the Caffres who lived at Zuurberg, being disgusted with Buchner's treatment, went to Colonel Somerset, and returned while I was at Gorah with the following pass from him, of which I give a copy. "The Caffre Bay and one Caffre to pass to field-cornet Buchner, to whom they are to report themselves."

(signed) *H. Somerset.*

Lieutenant-colonel Commandant Buchner.

Buchner wrote underneath, in Dutch, as follows: "This on the 24th June; and the above-named Caffre is further ordered to go to the Honourable Mr. Vander Reit to ask permission to remain in the colony.

(signed) "*Buchner*, F. C."

He could not, as the Caffre named Bay brought also a letter from Colonel Somerset to him, Buchner, do any otherwise than write the above; but mark what he wrote in Dutch on the back of his pass. It shows how little mercy a poor Caffre or Hottentot has to expect from such a field-cornet as Buchner, if he were only in his power, "A Caffre, Hans, wishes also to have a pass, but I hope neither of them will obtain, to lie in that manner in kraals at Zuurberg.

(signed) "*C. W. Buchner*, F. C."

You must observe the one called Hans is referred to in my letter as having a pass from C. Kok. Bay came part of the way with us from Gorah; was going to Mr. Vander Reit.

When I was just going to give you a copy of the above pass, I had the great pleasure to receive the following letter in answer to mine to Mr. Vander Reit, which I am sure will give you as much satisfaction as it does me.

Dear Sir, Uitenhage, 2 July 1834.

I have the pleasure to acknowledge the receipt of your letter, of this day's date, giving a satisfactory statement of the circumstances relative to Gorah, and to add that the Caffre Karel has obtained my permission to remain, provisionally, with his family at Gorah. Allow me to suggest to you the necessity of furnishing me with a list of the names of such Caffres as you wish to remain there, and for whom I will then obtain colonial passes.

Yours, &c.

Rev. Mr. Kitchingman. (signed) *J. W. Vander Reit.*

The Letter of the Rev. *J. Kitchingman*, dated 13 June 1834; of which the following is a copy.

Reverend and dear Sir,

Being deeply interested in every thing which affects the Hottentots, among whom I labour, I have read with considerable interest all that has been published relative to the proposed Vagrant Law, which is likely to apply to them more than any other people. Many of its advocates are imprudent enough to state, in consideration, what their object is in wishing to have it passed, viz. to oblige these poor people to serve them, though it cannot be denied that those who become acquainted with the Hottentots, and treat and pay them well, have no want of servants. Many of the persons who would have to execute this law would make it a powerful engine of oppression, for who can doubt that many of the field-cornets and their assistants are still regretting that their former power has been taken from them; one, who formerly served as field-cornet, observed, "apparently with regret," in my hearing a few days ago, speaking of the changes which have taken place in the system of government, "Why in those times a field-cornet had more power than a judge now;" who that knows then that these peoples sentiments are not changed, can deny that they would be glad of any measure which would give them power over the Hottentots. I greatly rejoice that you have again espoused the cause of these poor despised people, and shall now, in compliance with your request, answer the queries you have put respecting the intended Vagrant Act. You inquire whether the field-cornets have taken down the names of the people in our neighbourhood? I reply, that I have heard that persons are employed and paid by government to take down the names of the inhabitants, under the direction of the field-cornets, who in most instances accompany them. In reference to your next question, whether they have taken down the names of any belonging to the institution? I may state I have not heard but of one instance, which appears to have been a mistake. The field-cornet of Port Elizabeth, I was informed, gave every encouragement for people belonging to Bethelsdorp to come and have their names enrolled on the return lists. Should the Vagrant Act be passed by the council, it will greatly affect the wages of the Hottentots. If people "or masters know they can be supplied from the local authorities with vagrants as servants, for less than they can procure others, self-interest will lead them to take them in preference; the free labourer will be obliged to lower the price of his wages, which are now not more than sufficient to enable him to clothe himself and family," or he must go unemployed and come under the Vagrant Act. I have no doubt that the intended Vagrant Act will expose the Hottentots to harsh treatment from their employers. There has in this respect been a great improvement since

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the passing of the 50th ordinance. When I was here under the old system, Hottentots frequently complained of having received blows or floggings; since my return to Bethelsdorp, which is now upwards of two years, I can scarcely produce one solitary instance of this kind. There is still prejudice and bad feeling between the masters and the Hottentots, but under the present mild system it is on the decline. Should this Vagrant Act be passed, old prejudices will be revived, and the bad feeling which exists will be strengthened and perpetuated, which will be injurious to both parties. The rumour of the Vagrant Act has done much harm by putting the Hottentots in a state of alarm such as I never before witnessed; it has caused many to leave their servitude and flock to this institution. You may judge of the excitement that has been created in the district, by the following fact: My last population return in January 1834, was 1,204, but since I commenced the present return, the number of 1,887, with the exception of a few women and children, have been to me personally to have their names entered into the register of the institution. In reply to your inquiry into their characters and appearance, I cannot speak from my personal knowledge of them, but I must say I have not heard that they were living by plunder; several of the parents and children were decently dressed, and they have generally the appearance of very teady people. I begged of them to give up their names to the field-cornets, but it was to no purpose; I expostulated with them, but finding that I could not move them I then took down their names. I have been accustomed to feel much for the Hottentots, but I do not know that ever I felt so much for them as I have done on this occasion; they seemed, in the words of Scripture, to be a sheep scattered abroad, having no shepherd. Let them but have some of the remnants of the vast quantity of land taken from them, still in the hands of Government, and there will be no need of such laws. It is much to be regretted (that) such a law should be thought desirable, at a time when the Hottentots are so evidently in an improving state. There is not so much crime of any kind in the district since the passing of the 50th ordinance as there was before that period, and I am supported in that opinion by the opinion of the magistrate of Uitenhage; I believe there are now many hundreds more of Hottentots in the district than there were before the passing of that ordinance, and notwithstanding that addition, it is my firm conviction that the quantity of crime is less; this I am persuaded would be seen by an appeal to the records of the courts of the magistrates and circuit courts; and no one not strongly prejudiced can deny the improvements which have taken place upon the Hottentots since they received the protection of the 50th ordinance.

I shall further observe, that the proposed Vagrant Law will have a ruinous effect on the means of subsistence at this institution. Under the present system it is not likely that more will apply for admission or become residents than it can support; but should this Act be passed the case will be far otherwise. Hundreds more may be driven to this place, but I know not how they are to be supported. Not long ago I heard of a boy in the neighbourhood that found out an easy way of herding sheep; he used to drive them up into a corner, and then lay himself down to rest till it was time for him to take them to the fold. This was an easy way for him, but it was more easy for him than it was profitable for his master. The Council's care of the Hottentots is something of the same kind with that of the boy's care of the sheep. The government may drive the Hottentots by laws of this kind into corners where they will have nothing to eat, and there they must steal or die.

My opinion is that this Act will drive many good Hottentots to desperation, and convert others, who are now getting their bread honestly, into thieves. Many of them, rather than return to their former servitude, will go to the mountains and ravines of the country, and live upon what they can get by stealth or otherwise. These sentiments, dear sir, are the result of much thought and observation; and I shall add no more at present, as my letter is grown to an unusual length. It is my sincere desire and prayer, that He who has the hearts of all men in his hand, may direct our Council to reject a measure which is likely to prove so injurious to the Hottentots, who are looking up to the government for protection.

I remain, &c.

Rev. J. Philip, D.D., Cape Town. (signed) *J. Kitchingman.*

A Letter from the Rev. *W. Anderson*, Missionary at *Pacaltsdorp*, dated 26 June 1834; of which the following is an extract:

With the last post I forwarded to you a correspondence I had with the resident magistrate at George: I am sorry that a man of the name of Ruyter Bays was at that time not at home; he might have accompanied Catryn Moos to the magistrate, and would have confirmed her statement.

Yesterday I asked her to relate the case to me, having been informed by Catryn Moos that he was one whom the field-cornet had addressed in a similar manner. This man told me the field-cornet called him in, told him he would not any longer allow any Hottentot to go loose in his country; they must engage in contract or leave his country; and that all who were loose and brought to him he would bind and have conveyed to the magistrate, and they would be set to work to repair the roads. He observed, we were called in separately to hear this; so that he had no witness, or he would have gone himself to the magistrate to inquire about the reason. He did not mention this to me until I first addressed him about the matter. I shall add a few remarks.

The Hottentot labours under great disadvantages, the colonists being considered their superiors; if they would inquire anything from, or say anything to a Hottentot, he is called in and interrogated, where he has no witnesses on his part; therefore he is, if he acts prudently, cautious not to relate what has been said to him; while, on the contrary, the colonist has evidence to what the Hottentots relate.

In addition to what has already been said against the power which the new Vagrant Act would

would give to the field-cornet, when we consider what human nature is, may be added, "How can justice be impartially administered to the Hottentots? Could it be fairly expected from a judge if he were in relationship to one of the parties, and to that party who possesses some peculiar advantage over the other? Is this not the case here? Are not the field-cornets, in general, in relationship with those in their countries? and it is perfectly useless to deny the prevailing prejudice against the natives.

The Hottentots seem averse to contract service, especially among the farmers. I have two contracts in my possession of men belonging to this place, engaged as herdsmen; the rate is 4*s.* 6*d.* per month; they have to furnish themselves with clothing: both have families.

One of the above, named Windoogle Witboog, his time of service expired 22d February last, and at the Opgaaf, in April, he paid 7*s.* sterling taxes. I had an opportunity on the 28th of May last to see a strange contract. The son of Mr. P. Van Rensberg, of Kumattie Lang Kloof, came to inquire of me whether a Hottentot, of the name of William Jacobs, had not been registered here, and he showed me the contract. Having examined my book in his presence, I told him he had not; and to my knowledge I had never seen him. This contract was a written one: 1st, was a statement of debt, 75 rix-dollars, for a horse and saddle, signed by William Jacobs, "his mark;" 2d, follows an engagement to serve Rensberg three years, at the rate of 25 rix-dollars per year, "no mention of either food or lodging." I told young Rensberg that the contract was not legal; that no contract of service could extend beyond one year, though it might be renewed; but as I knew nothing of the Hottentot, it was not within my concern to say more. Mr. Kitchingman writes me that the slaves are to be made free, and they are to become slaves in their place. In illustration of this, a case occurred within my knowledge about the month of November last: a Hottentot, David Trompetter, came, requesting to have his name registered here; I was at the time sitting with my family at table. I asked him whether he had ever been here before?—"No." The appearance of the young man led me to suppose something singular must have hurried him here; I desired him to go to one of the officers of the institution, and relate his reasons for coming here, and to come with that person to me after breakfast. I met them; he related he had been at Uitenhage with the waggons of his master; that some Englishmen caught hold of him, and asked "if he was in contract?—No. Then there is plenty of work for you here; and you must stay here.—I cannot. You must." I did not know what to do; but it came into my mind to say that I belonged to Pacaltsdorp; upon saying this they let me go. When I came home I related what had happened, and I was told by some that when the slaves were free the Hottentots must serve in their stead, if they do not belong to a missionary institution, therefore I wish to have my name entered. My reply was, "Have you a wife?—Yes; she is a slave. Have you children?—One. How can you come here, and your wife a slave; it would not be prudent in me to separate you?—Sir, I will come once in a year to let you see me; only let me have my name entered. Only come once a year?—Sir, I will come twice; do enter my name." I endeavoured to remove the unpleasant impression this man had received; told him the ideas he had formed had no ground, yet he persisted in having his name registered, and left me. I have not seen the man since; only heard he was still in the service of his master; and I suppose pleasing himself with the idea he is safe, because he thinks his name is registered at Pacaltsdorp.

It is evident the rumour relative to the new vagrant law has caused much excitement, and apparently tends to alienate the good understanding which of late had subsisted between the colonists and Hottentots; much of the former prejudices seemed to be wearing away, but now it seems to be reviving.

There is much talk about passes; that they will not be allowed to remain one day without a pass, or be sent to prison: this is rumoured among them. It would seem that giving a pass has been in fashion somewhere; I have one given to a Hottentot, date 24th February 1834; it was for three days. The sudden removal of these people from their usual abodes has been the occasion of much loss to them, and, being winter, there will be scarcity of provisions; try to make a collection among our friends for the people, or allow a certain sum for them, as occasion may require.

Additional Extracts from Mr. *Anderson*'s Letter, dated 30 May 1834; of which the following is a copy:

Should the ordinance pass into a law as it now is, or even with some alterations, there will be no free labourers to be found, besides those who may be resident at missionary institutions. Few indeed of the boors will allow any of them to reside near them that are not in their service. All, not at a missionary institution, will be obliged to engage on any terms, and to any person who may be in need of them.

The greater part of those who have come to the institution since this alarm commenced have been employed in cutting wood, by which they supported themselves and families.

In reference to a question put to Mr. Anderson, "Have the Hottentots in your district been found lately plundering the boors more than formerly?" his reply is, the plundering we hear of is on the other side. The general complaint of the people is, "we having nothing but food;" and we have several instances of men having been away from the institution for a time, "that is, in the houses of the boors," who have come home in a worse condition than they were when they left us.

In reference to the state of morals among the Hottentots since the passing of the 50th ordinance, Mr. Anderson says, "Since the people have been placed on their own responsibility, crime has been on the decrease; there have been," referring, I should presume, to the missionary institution since the passing of the 50th ordinance, "instances of no criminal cases at George."

No. 2.
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LETTER from the Rev. *H. Helme*, Missionary at Zuur Braak, dated 2 June 1834; of which the following are extracts:

"If government and the council mean to deprive the farmers of Hottentot servants, and fill our institutions, they have only to enact that law. For my own part I cannot see the necessity for such a law at present, and I think, if our rulers would examine and compare the records of criminal cases that have happened before the Hottentots were set on an equal footing with the colonists, with those that have taken place since that time, they would not think it necessary to enact such a law. The Hottentots have improved since then."—"This is what I have heard said to me, by men who are very well acquainted with them. As to what they shall do or not do after they are made free, I agree with the colonists in the newspaper. Let us first see what they will do at that time, and if then found necessary, it will be still time enough to make vagrant laws. No doubt, if the ordinance should become a law in its present form, field-cornets, &c. &c. will make an abuse of it: if any of their relations or friends should be in want of a Hottentot at low wages, would they not be inclined to assist them, and use their power for that purpose? Though the old spirit has been sleeping, or rather kept under, it is not yet dead, and years must elapse, and perhaps generations, before it dies.

"If farmers can get such Hottentots as are taken up by field-cornets at a low rate, which will no doubt be the case, they will prefer it, and consequently others may be compelled, by want, to hire themselves at the same rate, or remain without employment. Their improvement will be retarded in this way; when they see what is done by the vagrant law to their countrymen and relations, if ever they as individuals do not suffer, they may become indifferent to improvement and character, thinking that all that they do will not avail anything; they are Hottentots, and are doomed to remain degraded Hottentots."

"Zuur Braak, 23 June 1834.

"In my last to you I mentioned that several families of Hottentots had joined this institution; since then some more have taken refuge in this place, and the number of new-comers amount to 150, including men, women and children; besides these, others have asked permission to come also with their families to live here. Our chapel is at present nearly full every Lord's-day, and the Sunday-school is attended by from 100 to 150 adults."

A LETTER from the Rev. *J. Melville*, Missionary at Hankey, dated Bethelsdorp, 6 June 1834; of which the following are extracts:

I must observe with regard to the Hottentots of Hankey, that the few years they have enjoyed freedom seems to have given them a degree of independency of spirit, and boldness in asserting their rights; I have often heard them speak to the farmers in a manner that surprised me, when I remembered the obsequiousness of old times. This spirit, in many of them, will, I should think, operate in preventing imposition; the poor, and very ignorant and timorous, will suffer more or less by those who have it in their power to oppress. The farmers here are, generally speaking, friendly; acts of imposition and oppression are not common; they will seldom refuse to lend our Hottentots anything, or rather I ought to say sell them on credit. One of our people got in debt this way last year for 100 rix dollars; of course the farmers act in this way with a view of getting such people to work for them; it proves, however, to be a bad system, as it keeps the Hottentots more dependent than they would otherwise be, and lowers the price of their labour. Now it is possible, when the law passes, the farmers may attempt to reduce the wages, and assume a harsher tone; yet, considering how dependent the farmers are upon the Hottentots for suitable labourers, and remembering that the latter have always an asylum to which they may retreat, I am inclined to think no great alteration will take place with regard to the wages or treatment of the Hottentots belonging to our institutions; but it will be quite another thing with those who have no place of refuge; many of these have apparently lived comfortably among the farmers under the present system, and have not been desirous to come to a missionary institution; but if the vagrant law passes in its present form, it appears to me their state will be no better than it was before the 50th ordinance, and sad oppression will be the result.

I may mention, that as long as I have been at Hankey (just three years) I have heard nothing of theft or plundering, either by our Hottentots, or those living among the farmers; there seems to be no temptation to anything of the kind.

The magistrate of Uitenhage lately expressed his satisfaction that nothing had occurred at Hankey to give him trouble; and I may add, that the clerk of the peace told me lately, that the state of the Hottentots in his district was manifestly improved: this need be made no secret of. If this be the case, why then disturb the gradually improving state of things by new laws? Where is the proof that "things are getting worse rather than better?"

To his Excellency Sir *Benjamin D'Urban*, K.C.B. &c. &c. &c., and the Honourable Legislative Council.

The humble Memorial of the Hottentots and Free People of Colour at the Missionary Institution of Pacaltsdorp,

Respectfully showeth,

THAT memorialists have seen with fearful apprehensions the proposed draft of an ordinance, published in the Cape Gazette, date 11th May 1834, purporting to be "an Ordinance for the Suppression of Vagrancy," and have had occasion to lament the evil effects which have arisen from it ever since its first publication.

That

That it is well known that crime has been on the decrease in this district ever since the passing of the 50th ordinance; that the offences against the laws which call for legislative interference are not those committed by the Hottentots, but those committed against them; and those in the country who are desirous for this ordinance being passed into a law, do not disguise the fact that their motive in the present instance is not to have better security for themselves than they now have, but that they may have the Hottentots, and all free people of colour, under their control as the Hottentots were before the passing of the 50th ordinance.

That the Hottentot village of Pacaltsdorp, ever since its establishment in 1814, has afforded an asylum to the lame, the sick, the aged, infirm people worn out in the service of the farmers; and many of the inhabitants are of the above description; and that owing to the refuge which it has afforded to such persons, begging or vagrancy is unknown in this district; and there are no persons of colour within 150 miles of this institution living in the bushes without labour, and who cannot give as good an account of the means by which they earn their subsistence as any white colonist in the colony.

That above 450 people of colour have fled to this institution since the publication of the proposed draft of the ordinance, which appeared in May last, and in all this number there is not a single individual who has been charged with any overt act or crime.

That many of those people were living among and labouring for the farmers, and had been years in their service; while others of them were in the service of the inhabitants of George, conducting themselves industriously and peaceably, until they were informed that they must enter into contract with their masters or leave their service and fall into the condition of vagrants.

That a considerable number of them who had been residing on government ground, and who had for many years found the means of subsistence for themselves and their families, by hiring themselves for longer or shorter periods, to assist the boors in cutting wood in the government forest, have been, by the manner in which they have been treated by the local authorities, compelled to leave their houses and gardens, and their employments, to take refuge in this institution.

That we were persuaded, from the first appearance of the draft of the proposed ordinance, that it would do away with the 50th ordinance, and bring back upon the colony all the evils of the old system; and it is submitted to the honourable council whether that opinion has not been amply confirmed by the proceedings of the boors and field-cornets in this district. Since its publication the field-cornets, Meering and Rensberg, have prohibited the Hottentots from leaving their district without passes. The people of Dyzel's Kraal, the grazing-place of this institution, were prohibited from leaving the grazing-place even to see their families at the institution, without a written permission; the cattle-herds are not allowed to go abroad into the fields with their cattle without a written permission; an exercise of authority which was never attempted by those local authorities, in relation to a missionary institution, in the worst period of Hottentot oppression, "before the passing of the 50th ordinance." We have even in that dark period no instance on record of passes having been required from our cattle-herds, or of the field-cornets exercising such an authority over our people without a reference to the missionary; but not only are the cattle-herds required to have passes, but the head of the institution, Jonas Botha, who this year paid 15 *s.* direct taxes to government, and whose personal property is equal to that of many of the boors, was prohibited from leaving the grazing-place to visit the institution without a written pass or permission.

That it is obvious from the peaceable condition of the district before the month of May, when the draft of the proposed ordinance was published; from the general good characters of the people who have fled to this institution since that period; from the conduct of the field-cornets in forbidding any of the people of the grazing-place from leaving it to go to the fields with their cattle without a written pass; from the means used by the field-cornets to force the people into contract with the boors, and threatening them if they proposed removing to another place, that the clamour of the white inhabitants for the passing of the proposed ordinance is not to clear the country of suspicious persons, but to get possession of a people, well known to the colonists for their honesty and industry, at a rate of wages inadequate to supply them with clothing, without allowing them anything to support their wives and children.

That in England justices of the peace, and other local magistrates, can read and write, and they have clerks and keep books, in which are registered their proceedings, which leaves the accused person power of appealing to a higher tribunal; but from this privilege of an appeal from the sentence of the field-cornets memorialists are entirely precluded, as they, generally speaking, keep no record, and there are few of them who can write so well as the children in our Hottentot schools.

That memorialists do not come under the denomination of vagrants, as specified in the draft of the proposed ordinance, as they are able to give a satisfactory account of themselves, their places of residence being well known, as many of them were in the service of the boors, and had been in their service for years, when the said local authorities, assuming to themselves the authority of magistrates and justices of the peace, placed them under the law of passes, obliged them to leave their districts, and attempted to force them to enter into contracts.

That men who could thus egregiously mistake the draft of the proposed ordinance before it was clothed with the authority of law, treat as vagrants any man of colour who refused to enter into a disadvantageous contract with a master, assuring those who would not enter into contract that they would be seized and made fast if they attempted to escape, had already

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already stretched their authority to a point that nothing could support short of coercion, and which leaves us, should we be placed under the proposed ordinance, nothing to hope for but slavery with all its evils, without any of its compensations.

That while we have the 50th ordinance, the written law speaks the language of liberty; the condition of many of memorialists under this new authority assumed by the field-cornets, speaks no language but that of slavery; and memorialists submit to his Excellency the Governor, and the honourable council, whether we are not justified in the fears we entertain respecting the proposed ordinance, and whether means should not be taken to protect memorialists from the illegal and oppressive proceedings of those men, who assert that the proposed ordinance is the law of the colony, and who are daily adding to it the law of passes, and other parts of the old system, leaving memorialists no alternative but to enter into contract or to leave the service of their masters, and thus become subject to be apprehended as vagrants, and treated as such the moment they shall depart from their masters' places, after having declined entering into the disadvantageous contracts proposed to them.

That memorialists are not averse to enter into contract, from a fickleness of temper or any predilection for a wandering life, many of them having been in the service of the boors for years, on monthly contracts, and who had no intention of leaving their service till they were told by the field-cornets that they must enter into contracts; but, from reasons of a very different kind, memorialists have found by long experience that when engaged in the service of the boors from week to week, or from month to month, that if they did not receive their wages at the end of a week or month, they could leave their service and provide for themselves in the service of a new master or in some other way, and the fear of losing their services obliged the boors to be more regular in their payments; but in most cases in which they entered into yearly contracts the wages were either much lower than those they received when engaged in monthly contracts, seldom averaging more than one-half the sum, or they were obliged to receive goods instead of wages, at perhaps double the price they could have purchased them for in ordinary circumstances, or they were told by their masters at the end of their contracts, that they owed them nothing, or, as it not unfrequently happened, that they were deeply in their debt for articles of food and clothing they had no recollection of having received as part of their wages; and thus, after a year's service, they were either detained under a pretence of debt, or they returned to their families with their clothes worn out, and without a farthing in their pockets.

That memorialists feel also, that the length of the contract gives rise to a difference in the conduct of their masters towards them, and the experience they have had on this subject is one cause of the alarm with which they have been filled by the draft of the proposed ordinance. Memorialists can never forget the manner in which they were treated before the passing of the 50th ordinance, and they cannot shut their eyes to the facts, a few of which are annexed to this memorial, which shows that the protection formerly afforded them by the 50th ordinance is at this moment directly set aside in this district.

That memorialists have no objection to enter into contracts when they are assured of civil treatment and a fair price for their labour; and when their employers shall give them this assurance, they will require no other law than that of their own necessities to induce them to enter into contracts, but they deprecate the passing of a law that will extort from them unrequited service, and consign them and their families to such a state of slavery as that which threatens them, and from which they and their wives and children have so lately escaped.

For the above reasons, memorialists pray that the proposed ordinance may not pass into a law; and memorialists, as in duty bound, will ever pray.

Translated Copies of Permissions and Passes, issued by the Field-cornets.

No. 1. Holder of this, the bastard Nicolas, Sampson and Daman July, with their families, have left this ward to go and reside at Pacaltsdorp.

Milk Boom, (signed) *T. H. Meyer*, Field-cornet.
7 June 1834.

No. 2. The undersigned gives permission to the bastard Andries April to leave the ward of Gauretz River; this to be shown to the field-cornet where they go to reside.

Gauretz River, (signed) *P. H. Classen*, Field-cornet.
14 May 1834.

No. 3. Two of a similar nature, by the field-cornet P. H. Classen, to the Hottentots Christian Schepper and Plaatge Whitboog.

No. 4. The female Hottentot Diela with her children, Klass, David and Antge, have gone to reside at Pacaltsdorp.

(signed) *J. H. Meyer*, Field-cornet.

*Passes.*

No. 1. Permit to pass free the Hottentot, Cobus Pieterze, for two days, to Dyzel kraal, to fetch Adamina.

19 July 1834. (signed) *J. Rensberg.*

Permit again to pass for two days to Pacaltsdorp.

21 July 1834. (signed) *J. Rensberg*, Field-cornet.

No. 2. Permit to pass and re-pass, the Hottentot named Lowak, to Anderson, for four days.

11 August 1834. (signed) *J. C. Marnawek*, Field-cornet.

Hans

No. 2.
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Hans Besnidenhout, bastard Hottentot, states, that he was living at the place called Haase Jagt, belonging to Lewis Luyman, with his wife and five children, where, for his occasional services, the use of a piece of land for planting and sowing was allowed him. He had lived there three years; on intimating to L. Luyman that he wished to remove, he received for answer, "Yes, you can leave; you are free to go where you will." He accordingly made preparations, and proceeded to Dyzel's Kraal, to engage a waggon; on his return he found the field-cornet Meering at L. Luyman's house, who demanded a return of the names of the members of his family. Hans told him it was already registered at Pacaltsdorp. The field-cornet observed, that he was schoolmaster in this division of the district, and commanded him instantly to enter into contract with L. Luyman, or obtain some other master within 24 hours, or the field-cornet would make him fast. Hans remonstrated, observing that he was old and weak, and could with difficulty succeed in obtaining food for his children. The field-cornet desired him to be silent, and then inquired where he intended going; on being answered "to Pacaltsdorp," he said, "You can go; but before you cross the river Oliphant, you will be secured and made fast; there is now no more moving about the colony allowed; you must now enter into contract; your freedom is at an end." The poor man, in a state of alarm, fled to Pacaltsdorp for refuge, with his wife and children, without food, having in his flight left money owing to him, and cattle at different places, which the illegal threat of the field-cornet prevented his remaining to collect; and to save the poor man's family from starvation, the missionary, Mr. Anderson, was under the necessity of supplying him with a bushel of flour for present support.

August 13, Spilman Platges and his wife, Sarah Matroos, in the service of Mr. Ingnatius Van Rooze, Oliphant's River, was not allowed to remain unless he would engage himself under contract; the wages offered were 15*s.* a year, and a trifling amount for clothing; his wife to have only her food, and a trifle for clothing for her services; they have no children.

This man did not so much object to the contract as to the inadequate amount of wages offered for their services, being a strong able man, about 32 years of age; he therefore begged to remain here.

August 19, Nella, the wife of a slave of Mr. T. Marneweck, and her two children, were not allowed to remain at his place, "where she had been employed for some time," unless she would bind herself by contract, and was in consequence received here; and Maria, wife of Manuel, slave of T. Marneweck, and her child, in Mr. Marneweck's service, were also compelled to enter into contract or leave the place; they preferred the latter.

August 22, Betge Advanteur left the same place under the same circumstances, and Kaatge Ruiter, and her child, wife of a slave belonging to Mr. Klynham's, Oliphant's River, was driven from the place for the same reason, and received here. Lystert Pearle and her child, wife of a slave of Mr. Klynham's, was compelled to leave on the same account, and was received here.

August 21, Dirk Gezwind, compelled to leave the service of Mr. Gideon Schepers, because he declined binding himself by contract, was received here.

Gert Jackalls states, that he was living by the Gast Bush, and working for any one who hired him; that the field-cornet, H. Meyer, told him that no one would be allowed to remain by the Bush, or work there without being in contract with a master.

Herman Martinus states, that John Weyer, overseer of the Bush, and brother-in-law of the said field-cornet, said the Hottentots cannot work in the Bush without being in contract; that a letter was come from the Cape station, that all Hottentots must be branded in the forehead. He being alarmed, left a house he had built, and all his tools, and has not as yet recovered them.

Zaccheus Telemachus states, that H. Meyer, field-cornet, complained of his wife washing in the river, and threatened that if a further complaint was made he would have them all fast, and bring them to the magistrate; that if he did not make a contract he could not be permitted to work in the Bush.

Reuter Booyse states that the field-cornet, Jan Meyer, Milk Boom, asked him if he was hired; answered, yes: the field-cornet asked to see his contract; Reuter told him he had no contract, but worked without; on which the field-cornet told Paul Voorseen, the person Reuter worked for, that all the people who worked by him must enter into contract, and if any refused to send them to him; he knew how to manage them and bring them to the magistrate. Reuter with his family took refuge at Pacaltsdorp.

Martinus Mulder states he lived at Goonama; the field-cornet, Stephanus Weyer, said he must remain there, but on hearing of his intention of removing to Pacaltsdorp, he told him he must leave within three days; and if he had no pass he would make him fast, and send him to the magistrate; that if he came again without a pass he would take him up and set him to work among the felons.

Translation of the accompanying Memorial.

To his Excellency Sir *Benjamin D'Urban*, K.C.B., &c., &c., &c., and the Honourable Members of the Legislative Council.

The Memorial of the Hottentots residing at the Missionary Institution of *Bethelsdorp*,

Humbly showeth,

That memorialists have heard with grief of the draft of an ordinance, denominated "An Ordinance for the better Suppression of Vagrancy in this Colony," which shall empower every field-commandant, field-cornet and provisional field-cornet, to apprehend all persons

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found within his jurisdiction, whom he may suppose to have no honest means of subsistence, or who cannot give a satisfactory account of themselves, and to bring them before any magistrate or justice of the peace within the district, and which shall give power to the said justice to commit such persons to prison, to hire them out to any individual, or otherwise to deprive them of liberty or punish them.

That memorialists, knowing in what an oppressed condition they were before the passing of the 50th ordinance, and knowing that there are many persons who long to see them again in the same state, fear for the consequences of the proposed law, and have observed that since it was printed in the Government Gazette, many of their brethren have been thrown into a state of great agitation; so that more than 600 have come hither, requesting to have their names written down, as a means of protecting themselves and their children from the prejudicial consequences of this law.

That from an affair which lately happened at our cattle-place, Gorah, with respect to the field-cornet Buchner, his Excellency and the honourable council may see what prejudicial consequences memorialists, and their children, and the whole nation have to look for if the proposed ordinance be passed into a law.

That the field-cornet Buchner went to Gorah, and thereupon wrote a letter to the civil commissioner, stating that he found there a great number of people whose conduct was not as it ought to be; that all wandering vagabonds would in future go and remain there, and so much the more as there was no one to teach them a civilized life; and because they, having given up their names to Mr. Kitchingman, refused to give them a second time to him, he said they were vagabonds, he knew not whence they had their subsistence, and that he would give the place an ill name.

That if this affair had happened at a greater distance from Uitenhage, or at a place that stood in no connexion with a missionary institution, and under the Vagrant Law where the people had no one to speak for them, it is clear the complaint of the field-cornet would have been received, and consequently the people would have been seized as vagabonds, committed to prison, punished and compelled into a state of servitude.

That the expression of the field-cornet, that he knew not from whence the people lived (though he might have there seen above 400 head of cattle, some of which belonged to the people, and others to our institution), shows memorialists, that if the visible means of subsistence must be the rule by which the crime of vagabondizing must be proved against the Hottentots and other coloured inhabitants, and if field-commandants, field-cornets, provisional field-cornets and justices of the peace must be complainants witnesses and judges in such cases, then no one who is not hired in the service of some inhabitants will escape from the slavery to which this law will consign him.

That possibly a stranger coming to such a barren place as this institution, and seeing here some hundreds of Hottentots, would not be able to say whence they had their subsistence, and yet there are many honest means of obtaining money; and memorialists feel assured that the number of criminal offences committed by the inhabitants of this place, and brought before the judges, has been small.

That memorialists know that evil must be punished by the judges, and are not opposed to disturbers of the peace, thieves and other criminals being apprehended and brought before the magistrates, as under the present laws; but they fear, and not without reason, a law like that proposed, which will give them over into the hands of field-cornets, and others who formerly oppressed them, and make them subject to punishment whenever such men choose to declare that they do not know from whence they live; this would consign them and their posterity to a slavery still worse than that from which the slaves will shortly be delivered; which would be to them most intolerable, and the more since they have tasted the sweetness of the liberty which the Government has been pleased to grant them. That memorialists suppose that there are more free persons of colour in this than in any other district, except Graaf Reinet, and that, since the passing of the 50th ordinance, the number has increased, as many from other districts have come to reside here, and that nevertheless, our magistrate acknowledges that crimes have decreased in this district, and our civil commissioner has declared that he does not see that the proposed law is necessary. Memorialists very humbly submit whether an inquiry should not be made, to know on sure grounds whether there is indeed an increase of crimes in other districts, and what the cause of the difference is, before this be given as a reason for the passing of this law.

That should such an inquiry be less favourable than memorialists expect, they hope that the honourable council will then devise other means to instruct the poor labourers of this colony in their duties, than to make a law which would expose all the coloured inhabitants to a series of grievous oppressions.

That memorialists were made acquainted, in a letter from the colonial secretary in 1829, that the government was not less inclined to take into consideration the requests of industrious Hottentots of good character, for land, than those of others of His Majesty's subjects; that hereupon several inhabitants of this institution sent in petitions for some portions of land that were not yet granted or measured off, but to this time none of these have been granted, though they believe that some of them are not yet given out. That this being the case, memorialists have no land to cultivate, except what is upon the institution; they are a poor people, and possess no places like other inhabitants, though this is the land of their fathers, and therefore they, more than other inhabitants, are compelled to go from one place to another to seek for work and the necessaries of life. And memorialists feel, that according to the proposed law, they should in seeking an honest maintenance be in danger of being taken up and punished as vagrants.

That

That they have already proof that one consequence of this law will be to bring a greater number of people to this place, and similar institutions, than they can bear or support.

That memorialists feel themselves bound to testify their gratitude to the government for the 50th ordinance, and trust that no infringement will be made upon it; that they have always been faithful and peaceable subjects, and whenever their services were required in commandoes, in times of danger, they have never refused to serve the government; many of them have served the King in the Cape regiments; they are willing, like all other inhabitants, to pay their taxes, and in other respects to conduct themselves as obedient subjects.

On these grounds memorialists pray that the proposed ordinance may not be passed into a law in this colony; and memorialists, as in duty bound, will ever pray.

Bethelsdorp, 19 August 1834.

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To his Excellency the Governor and the Legislative Council of the Cape of Good Hope.

The Memorial of the undersigned Inhabitants and Residents at the Missionary Station of Theopolis,

Humbly showeth,

That your memorialists are fully convinced that there is nothing in the existing circumstances of this colony to call for a new Vagrant Law, or for any enactment of that kind, in addition to the laws already in force for the protection of the lives and property of all classes of the colonists.

That it is well known to memorialists, that in this district no Hottentot or Bechuana, or people of any other tribe, can sit down with impunity upon any farmer's ground without his permission; and that if such is an evil that requires a remedy, every farmer has that remedy in his own hands, which he can use with effect if he pleases, without the aid of an Act that would consign to slavery all the coloured inhabitants of the colony.

That it is well known that about 10,000 Bechuanas were brought into this colony in 1824 and 1825; that these people have invariably maintained an excellent character for industry and honesty, and have rendered essential service to the colonists as herdsmen; that having obtained a few cattle, or sheep and goats, by a faithful servitude of eight or ten years, their desire to enjoy each other's society has led several of them to seek out places where they can congregate together for a longer or shorter period, and at which they can leave their cattle in charge of some of their friends while the rest go out to earn more; that memorialists have never known one instance in which they have attempted a settlement without permission from the owners of the land, or, if on government ground, without permission from the proper authorities; and it shows a melancholy state of feeling on the part of the white inhabitants, that a few of these poor people cannot come together for the better protection of their hard earnings, while the major part are still earning more, without being accused of stealing what no one around them has lost.

That cattle may have been stolen or slaughtered, and the Hottentots and Bechuanas may nevertheless have been as innocent of the deed as if they had all been a thousand miles distant, so many and so varied are the casualties to which cattle are exposed; and this fact the Graham's Town people know as well as memorialists do, although they said nothing about it at their public meeting convened to petition for the passing of the said Vagrant Act.

That the Albany farmers obtained their grants of land from government on the express condition of keeping armed men to watch their flocks, and of having all their cattle properly marked, and they would now have a Vagrant Act to save them trouble; but even in this, if they could have their wills, they would be disappointed, for they would still be obliged to have some one to look after their flocks, if it were only an old woman, to keep them from the wolves and tigers, whose sins have often been laid upon the backs of Hottentots and Caffres, memorialists not excepted.

That memorialists have seen with much satisfaction the following statement, made at a public meeting held at Graham's Town: "The formation of the Kat River Settlement, and the energy afterwards displayed by a portion of the magistracy in dislodging vagrants, caused an immediate effect in diminishing the number of depredations;" and memorialists are of opinion that, if another settlement like Kat River were formed and the magistracy obliged to do their duty, there would remain no need whatever for this new vagrant law.

That as far as the Hottentots are concerned, whatever may be the sentiments of his Excellency the Governor and the honourable council, it is impossible for memorialists to look at the spirit of the letters published in favour of the new law, the arguments used at public meetings convened to petition in favour of it, and to recollect how often some of us have already been taunted by being told we have been long enough our own masters, that in a little time we shall find ourselves in other hands, and not to feel that it is for cheap servants, "the compulsory service," the compulsory service of memorialists, that the whole of this clamour about a Vagrant Act has been raised. "It is a law in place of the old law" that is wanted; a law that will tame the "restlessness" of the Hottentots; a law to punish the Hottentots as felons before a felony has been committed; a law for the "prevention of crime;" a law that will encourage proprietors and capitalists to engage in extensive "improvements and speculations." Hottentots are to be obliged to enter into contract for more than one month, and their "restlessness" is to be subdued for the sole benefit of their masters.

That memorialists are fully satisfied that the disorders of which any of the lower orders of society in this district are guilty, arise from the canteens; and if your Excellency and

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11 July 1836.

the honourable council cannot at present convert all our vagrants into honest and steady men, by giving them a settlement like that at the Kat River, or should find it impossible to get the magistracy to do their duty as a portion of it did with so much effect in 1829, and if the canteens cannot be shut up, memorialists will most cordially unite in approving of an Act that will subject every Hottentot found in a canteen to 12 months' hard labour; an Act that will be found to have a more direct effect in curing the evils of vagrancy than the one proposed, without having in it a particle of evil of which any friend of the Hottentots would have a right to complain, and without plunging the whole of the coloured classes into a state of slavery.

And your memorialists, as in duty bound, will ever pray, &c.

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Kat River, 12 August 1834.

His Excellency Sir *Benjamin D'Urban*, K.C.B., &c. &c., and the Honourable Council.

The Memorial of the Coloured Inhabitants residing on the Establishment of the Kat River.

Humbly showeth,

That in no country whatever would such a vagrant law as that proposed press so heavily as upon the coloured population of this colony, from the condition and disposition of most of those to whom its execution must be entrusted, to the remoteness of many parts of the districts from the seats of magistracy, the prejudice and animosity of most of the white inhabitants in the interior against memorialists, and the uncontrolled authority which they have been so long accustomed to exercise over a slave population, and a people formerly in a more wretched condition than even the slaves.

That the proposed law for the suppression of vagrancy would seal the degradation of the coloured population, deprive those who are accumulating property of the little they possess, present such a barrier to their improvement as will for ever prevent their rising in the scale of society, and drive the most respectable of them to despair. That the white colonists were in this colony more than 100 years before the missionaries came, and memorialists came to the missionary institutions without morals, without Bibles, without any knowledge of the white man's God, without property, and without any clothing, except the sheepskin kaross, but now have schools and Bibles, a knowledge of the Supreme Being, houses of their own, and can appear in public and at church clothed in British manufactures.

That this Act, proposed for the suppression of vagrancy, will to a great extent defeat the end of the labours of missionaries among memorialists, reviving those bad feelings which were generated in their breasts by the oppressions memorialists formerly suffered, and which under the ministrations of their teachers, who have taught them to forgive as they would hope to be forgiven, were rapidly subsiding, and giving way to a state of kindly feeling to all mankind.

That memorialists cannot contemplate without deep concern the immediate effects that this Act will have on the prosperity of this settlement, in driving multitudes of their more unfortunate countrymen to this place for refuge, as it has done to the missionary institutions, by whom memorialists may be eaten up and oppressed, and from whom common humanity will not allow them to turn away.

That the 32d ordinance, by which all magistrates in the colony are invested with power to commit to prison or hold to bail all vagrants, rioters or other notorious offenders, found within their several jurisdictions, that such offenders may be brought to trial, and to call in the assistance of all field-cornets, peace officers, military officers, and others His Majesty's subjects, to quell all rioters, brawlers, vagrants and other disturbers of the peace, and to bring them to any prison in their respective jurisdictions to be dealt with according to law, invests magistrates, justices of the peace and others with all the authority necessary in this colony for the maintenance of social order, and the protection of the lives and property of His Majesty's liege subjects: that in consequence of the seat of magistracy being far distant from many parts of the district, the coloured people are subject to grievous oppressions, as many of your memorialists can testify, being driven from place to place, suffering the most cruel treatment, having been often obliged, when resolved to go to a magistrate for redress, to travel in the night and to conceal themselves by day; that, by the power of the ordinance for the suppression of vagrancy put into the hands of the commandants, field-cornets and deputy field-cornets, the seat of magistracy will afford memorialists no refuge; the magistrates will throw them back into the hands of their local authorities, to be treated as their caprice may dictate, for having lodged complaints against them; and the last ray of hope for them or for their children will be for ever extinguished.

That many of your memorialists, residing from infancy in the district of Graaf Reinet and Somerset, testify that they had no food from the farmers but the offal of their cattle and sheep; no houses except miserable sheds of straw and turf, that were open to every blast of wind and showers of rain; no medicine when sick; no covering but the sheepskin kaross, and no wages but one cow or an heifer, or from two to four or six sheep per annum; and, frequently on leaving service of the farmers, even these were detained, and wages when paid in money did not exceed 12 rix dollars per annum: that the proposed Act for the suppression of vagrancy is more unjust in principle, and will be more cruel in its operation, than any Vagrant Act in any other country, and memorialists consider it as more to be dreaded than a law that would punish vagrancy with hanging, &c., because such cruelties would be exercised on a few only, whereas this law will subject almost the whole race, man, woman and children,

children, not residing at a missionary institution or on the Kat River, to a condition compared with which extermination would be mercy.

Upon these grounds memorialists pray that the proposed ordinance may not pass into a law; and memorialists, as in duty bound, will ever pray.

Signed by 401 of the Inhabitants of the Kat River Settlement.

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LEGISLATIVE COUNCIL.

Sitting, No. 21.—Saturday, 23 August 1834.

THE Council met, pursuant to adjournment, and his Excellency the Governor took the chair.

After Prayers the Minutes of the preceding Council were read and confirmed.

VAGRANT ORDINANCE: The Council resolved into committee thereon.

Motion made, and question put, that in the third line of the first clause, after the words "provisions for," the remaining part of the clause be omitted, and the following words be substituted in amendment: "The Suppression of Vagrancy; Be it therefore enacted, by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council thereof, that from and after the day of the second clause of an ordinance, intituled 'Ordinance of his Honour the Lieutenant-Governor in Council, for Improving the Condition of the Hottentots, and other Free Persons of Colour, at the Cape of Good Hope, and for Consolidating and Amending the Laws affecting those Persons,' shall be, and the same is hereby repealed; and that from and after the said day of no Hottentot, or other free person of colour, lawfully residing in this colony, shall be subject or liable to any restraint as to residence, mode of life or employment, nor to any compulsory service, nor to any hindrance, molestation, fine or imprisonment, to which other of His Majesty's subjects therein are not subject or liable."

For the motion, the Hon. C. S. Pillans, M. Van Breda, J. B. Ebden, L. Cloete, Esqrs.; Auditor-General, Colonial Treasurer, Officer second in Command. Against the motion: Attorney-General, Acting Colonial Secretary. Majority five, for the motion.

Motion made, and question put, that the following be substituted in amendment for the second clause: "2. And be it further enacted, that from and after the day of all laws whereby the crime or offence of vagrancy is defined or declared, or whereby provision is made for the apprehension or punishment of persons committing such crime or offence, and which shall be in force within this colony on the said day of shall, in so far as they relate to the said crime and offence, and except in so far as they repeal any previous law relating to the said crime or offence, be, and the same are hereby repealed." Votes as above.

Motion made, and question put, that the following be substituted in amendment for the third clause: "3. And be it further enacted, that courts, to be called courts of the justices of the peace, shall be, and are hereby erected, constituted and established, for and within the several districts of this colony." Carried unanimously.

Motion made, and question put, that the following be substituted in amendment for the fourth clause: "4. And be it farther enacted, that such courts shall and may respectively be holden by any justice of the peace for the district, at any place within such district, and so often as occasion may require, for the purpose of therein hearing, determining, and disposing of all cases in which jurisdiction is by this Ordinance given to any justice of the peace." Votes same as first motion.

LEGISLATIVE COUNCIL.

Sitting, No. 22.—Monday 25 August 1834.

THE Council met, pursuant to adjournment, and his Excellency the Governor took the chair.

After Prayers the Minutes of the Preceding Council were read and confirmed.

2. And be it further enacted, that no male Hottentot, Bosjesman, or other male person descended from the Hottentot or Bosjesman race, born within this colony, and not having received any such grant or assignment of land as is hereinafter mentioned, not having been previously convicted of theft, or of any other equally heinous crime, who being possessed honestly, and in his own right, of any number of cattle or sheep, not less than 10, or of goats not less than 100, or of real or personal property, of the value of 10 *l.*, shall, within one year from and after the date of the promulgation of this ordinance have applied to any civil commissioner, or any other person appointed by the Governor, for the purpose of receiving and granting or reporting such applications for a grant or assignment of land, of such extent as may be sufficient for the support of such applicant and his family, and of his live stock aforesaid; or who, whether possessed of such live stock or property as aforesaid or not, but being the father of a family, shall, within six months from the date of the promulgation of this ordinance, have applied to any civil commissioner, or other such person appointed as aforesaid, for a grant or assignment of land of such extent as may be sufficient for the purpose of enabling such applicant to have a fixed and settled residence thereon, and who shall not, in consequence of any such application as aforesaid, have received any such grant or assignment of land, so applied for as aforesaid, shall by reason, or under, or by virtue of any of the provisions of this ordinance be deemed or taken to be a wilful vagrant, or be liable to be apprehended or convicted on any charge of wilful vagrancy, from and after the day of making such application, until the same shall have been granted or refused; and when refused, where the application was of the nature of that first hereinbefore-

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mentioned, then for the further space of six months; and when the application was of the nature of that last hereinbefore-mentioned, then for the further space of three months from and after the day when a certificate of the refusal of such application shall have been delivered to him in manner hereinafter provided, anything to the contrary herein contained notwithstanding. Ordered to lie over.

Motion made, and question put, that the following be made the third clause:

3. And be it further enacted, that every civil commissioner or other person appointed by the Governor for the purposes aforesaid, to whom any such application as aforesaid shall be made, shall at the time when the same shall be so made, deliver to the applicant a certificate that such application has been made in the form contained in the schedule hereunto annexed, marked (A), and when such application shall have been refused, shall so soon thereafter as may be, deliver or cause to be delivered to such applicant a certificate of such refusal in the form contained in the schedule hereunto annexed, marked (B); and the person by whom any such certificate shall be so delivered, shall endorse thereon the date of such delivery. Ordered to lie over. Proposed and agreed to, that the 2d, 3d and 4th clauses, as passed at sitting 21, be made the 4th, 5th and 6th clauses.

Motion made, and question put, that the following be made the seventh clause:

7. And be it further enacted, that all persons not having wherewith honestly to maintain themselves, and being without any lawful employment whereby they may honestly earn the means of subsistence, who shall wilfully live idle, shall be deemed and taken to be wilful vagrants, and shall thereby commit an act of wilful vagrancy.

For the motion, the Hon. C. S. Pillans, M. Van Breda, L. Cloete, esqrs.; Auditor-general, Treasurer-general, Officer next in Command.

Against the motion, the Hon. J. B. Ebden, Attorney-general, Acting Colonial Secretary.

Majority three, for the motion.

Motion made, and question put, that the following be made the eighth clause:

8. And be it further enacted, that the searching for, and digging or gathering roots or fruits the natural produce of the earth, or wild honey, or the searching for, taking and killing any game, or any other wild animal of what kind soever on any ground not being the property of the person so doing, or on which such person has not previously obtained the permission so to do from the proprietor of such ground, shall not be deemed or taken to be lawful employment, by which any person can honestly earn the means of subsistence.

For the motion, the Hon. C. S. Pillans, M. Van Breda, L. Cloete, J. B. Ebden, Auditor-general, Treasurer-general, Officer next in Command.

Against the motion, Attorney-general, Acting Colonial Secretary.

Majority five, for the motion.

Motion made, and question put, that the following be made the ninth clause:

9. And be it further enacted, that all persons not having wherewith honestly to maintain themselves, and being without any such lawful employment as aforesaid, who shall for the space of three days reside, remain, continue or harbour, or keep themselves on any ground being the property of any person, or upon any ground the property of government, without having previously obtained the permission of the owner of such ground or of the civil commissioner of the district in which such ground is situated, or upon any common or uitspan place or road, unless when prevented from sooner removing therefrom by their own sickness or that of any of their family, or by the swelling of rivers, or by the inclemency of the weather or other necessary cause, shall be deemed and taken to be wilfully living idle:

Votes same as on the motion relative to the seventh clause.

Motion made, and question put, that the following be made the 10th clause:

10. And be it further enacted, that all persons not having wherewith honestly to maintain themselves, and being without any such lawful employment as aforesaid, who shall have been travelling from place to place for the space of three days, or who shall be travelling, or pretending to be travelling in search of such lawful employment as aforesaid, and shall not show that during the time when they have been so travelling, they have procured their subsistence by honest means, or that since the commencement of their journey, or the loss or exhaustion of their honest means of subsistence they have by every means in their power really and truly endeavoured to obtain such lawful employment as aforesaid, or who being found travelling shall refuse to declare, or shall not truly declare the place from which they commenced their journey, or who shall refuse to declare the purpose for which or the place to which they are travelling, or who shall not show how they can procure their subsistence by honest means during the time required to enable them to reach the place to which they are travelling, shall be deemed and taken to be wilfully living idle: provided always, that nothing herein contained shall extend or be construed to extend to any person travelling to any place at which he has been lawfully summoned to attend, nor to any person proceeding to the nearest field-cornet, justice of the peace, or resident magistrate, for the purpose of making any complaint or giving information to such field-cornet, justice or magistrate, touching or concerning any crime or offence.

Votes same as on the motion relative to the seventh clause.

Motion made, and question put, that the following be made the 11th clause:

11. And be it further enacted, that all persons not having wherewith honestly to maintain themselves, and being without any such lawful employment as aforesaid, who shall have deserted or left the service of their last employer before the expiration of the period for which they were lawfully engaged to serve without the leave of such employer or without some sufficient lawful cause or excuse for so doing, shall be deemed and taken to be wilfully living idle: provided always, that if any such person as aforesaid, shall desert, or leave such service as aforesaid for the purpose of making any complaint against his or her employer,

and

and if the judge or magistrate to whom such complaint shall be made, having jurisdiction to hear, determine and dispose of the same, shall find and adjudge the same to be frivolous, vexatious or untrue, such person shall be deemed and taken to have deserted or left the service of his or her employer without any sufficient lawful cause for so doing.

Votes same as on the motion relative to the seventh clause.

The council adjourned at three o'clock until Saturday the 30th of August, at one o'clock.

## Legislative Council.

### Sitting, No. 23.—Saturday, 30 August 1834.

The Council met pursuant to adjournment, and his Excellency the Governor took the chair.

After Prayers, the Minutes of the preceding Council were read and confirmed.

Vagrant Ordinance: The Council resolved itself into a committee thereon.

Proposed and agreed to, that in the 10th clause, as passed at sitting No. 22, the following words be omitted: "By offering to work for the usual and common wages given to other labourers of the same capacity, and on the terms and conditions usual in the town, village or part of the district in which they have so offered to work."

Motion made, and question put, that the following be made the 12th clause:

12. And be it further enacted, that all persons, not having wherewith honestly to maintain themselves, and being without any such lawful employment as aforesaid, who shall have suffered more than three days to elapse from the time when they last ceased to have wherewith honestly to maintain themselves, or to have such lawful employment as aforesaid, without having by every means in their power really and truly endeavoured to obtain such lawful employment as aforesaid, shall be deemed and taken to be wilfully living idle.

Votes same as on the motion relative to the third clause.

Motion made, and question put, that the following be made the 13th clause:

13. And be it further enacted, that all persons apprehended as wilful vagrants, and escaping from the person or persons apprehending them, or refusing to go before any resident magistrate or justice of the peace to be examined before such magistrate or justice, or knowingly giving a false account of themselves on such examination, after warning given them of the punishment if they shall so refuse to be examined, or knowingly give such false account as aforesaid, shall be deemed and taken to be wilful vagrants, and to have thereby committed an act of wilful vagrancy.

Votes same as on the motion relative to 3d clause.

Motion made, and question put, that the following be made the 14th clause:

14. And be it further enacted, that no male under the age of 18 years, or female under the age of 16 years, shall in any case, and that no female shall by reason or in respect of any act, matter or thing done or omitted to be done by her while in the company or under the influence of her husband or reputed husband, be deemed or taken to be a wilful vagrant, or to have committed any act of wilful vagrancy, anything to the contrary herein contained notwithstanding.

Votes same as on the motion relative to the 3d clause.

Motion made, and question put, that the following be made the 15th clause:

15. And be it further enacted, that warrants for the apprehension of wilful vagrants shall and may be granted, and shall and may be executed, on the same grounds and in like manner in all respects on and in which warrants for the apprehension of such persons accused of any other crime or offence may lawfully be granted and executed: provided always, that it shall and may be lawful for any judge, magistrate or justice of the peace, on receiving information on oath that any wilful vagrants are in any place within his jurisdiction, to issue his warrant to any person or persons to search for and apprehend such vagrants; and in such warrant to authorize the person or persons executing the same for that purpose to enter and search any house in which any spirits, wine or beer, or other the like liquor is sold, or which is kept or purported to be kept for the reception, lodging and entertainment of poor travellers or other poor persons, and which house or houses shall be specified in such warrant; and it shall and may be lawful for the person or persons receiving such warrants to apprehend and bring before the nearest magistrate or justice of the peace all such wilful vagrants, or persons suspected to be wilful vagrants, as shall be found and apprehended in any such search.

Votes same as on the motion relative to the 3d clause.

16. And be it further enacted, that if any person shall have committed or be found committing any act of wilful vagrancy, it shall and may be lawful for any field-cornet, provisional field-cornet or constable, or for the proprietor or any person of or belonging to the family or household of any proprietor of land within five miles of which any person shall be so offending, without any warrant for that purpose, to apprehend such offender; and every person, not being a field-cornet or provisional field-cornet, who shall apprehend any such offender, shall carry and convey, or cause to be carried and conveyed, the person so apprehended before the nearest field-cornet or provisional field-cornet, except where the residence of any resident magistrate or justice of the peace shall be nearer to the place of apprehension than the residence of the nearest field-cornet or provisional field-cornet, in which case the person so apprehended shall be carried before such resident magistrate or justice of the peace.

Votes same as on the motion relative to the 3d clause.

Motion made, and question put, that the following be made the 17th clause:

17. And be it further enacted, that every field-cornet and provisional field cornet shall require every person apprehended by him, or who, having been apprehended by any other person, shall have been brought before him, in manner hereinbefore provided, as a wilful

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vagrant, to give an account of his means of subsistence or employment, and of the purposes for which, and the places from and to which such person is or has been travelling; and if, notwithstanding of any such account, there shall still appear to such field-cornet or provisional field-cornet to be reasonable grounds for suspecting such person to be a wilful vagrant, he shall forthwith carry and convey, or cause to be carried and conveyed, such person so apprehended before the nearest magistrate or justice of the peace, to be dealt with in such manner as is hereinafter directed; but when there shall not appear to be any such reasonable grounds of suspicion, he shall cause such person to be discharged and set at liberty.

Votes same as on the motion relative to the 3d clause.

Motion made, and question put, that the following be made the 18th clause:

18. And be it further enacted, that such field-cornet or provisional field-cornet shall and may direct any person residing or being at the time within his field-cornetcy, who may have knowledge of the usual place of residence or occupation or mode of life of any person apprehended as a wilful vagrant, or of the circumstances under which such person was so apprehended, forthwith to appear before the resident magistrate or justice of the peace, before whom such person so apprehended shall be carried, then and there to give evidence touching and concerning such person, and every such direction so given shall, in respect of the person to whom it was given, have the like force and effect and consequence as if such person receiving such direction had been duly served with a summons duly issued to appear before such magistrate or justice, to give such evidence as aforesaid.

Votes same as on the motion relative to the 3d clause.

Motion made, and question put, that the following be made the 19th clause:

19. And be it further enacted, that when any person shall be apprehended in manner aforesaid, and brought before any resident magistrate or justice of the peace on a charge of wilful vagrancy, it shall and may be lawful for such magistrate or justice, and he is hereby required summarily to try such person on such charge, whether the public prosecutor shall appear as prosecutor therein or not, and to inform himself, by examination of the person so apprehended, or of any other person, upon oath of the matter alleged and charged against the person so apprehended; and if such charge shall be proved, to convict such person of wilful vagrancy, and thereupon to commit such person to the nearest convenient gaol or house of correction, therein to be confined and kept at labour on the tread-mill, or otherwise, for any time not less than 14 days, and upon the first conviction of such person for such offence, not exceeding 28 days; upon the second such conviction, not exceeding two months; and upon the third or any further conviction, not exceeding three months: provided always, that it shall be competent for any such magistrate or justice, when from the circumstances of any case it shall appear to him to be proper and expedient so to do, to discharge any person charged before him with wilful vagrancy, although an act of vagrancy be proved against the person so charged; and provided also, that it shall and may be lawful for any such magistrate or justice in any case in which an act of vagrancy shall be proved against any person charged before him with wilful vagrancy in manner aforesaid, and in which it shall also be proved that such person has previously been convicted of wilful vagrancy twice or oftener, either to convict, or thereupon to commit such person to prison, in manner aforesaid, or to commit such person on a charge of wilful vagrancy for trial before the Supreme Court, or any competent circuit court: and provided further, that it shall and may be lawful for any such magistrate or justice, to whom, on the trial or examination of any person charged before him with wilful vagrancy, it shall appear necessary for the ends of justice to adjourn such trial or examination, in order that further evidence of the guilt or innocence of the person so charged may be obtained, to adjourn such trial or examination accordingly, and commit such person to prison, therein to be detained until the day to which such trial or examination shall be so adjourned.

Whereupon moved and seconded in amendment, that in the 11th line, between the words "confined" and "and," the following be inserted: "apart from persons undergoing punishment for other offences.

For the motion, the Hon. C. S. Pillans, J. B. Ebden, esq., Attorney-general, Acting Colonial Secretary, his Excellency the Governor (an original and casting vote).

Against the motion, the Hon. M. Van Breda, L. Cloete, esq., Auditor-general, Treasurer-general, Officer next in Command.

Majority one, for the motion.

Moved and seconded in amendment, that the words, "if practicable," be added to the above amendment.

For the motion, the Hon. C. S. Pillans, J. B. Ebden, esq., Auditor-general, Attorney-general, Acting Colonial Secretary, his Excellency the Governor.

Against the motion, the Hon. M. Van Breda, L. Cloete, esq., Treasurer-general, Officer next in Command.

Majority two, for the motion.

Clauses amended, passed. Votes same as on the motion relative to the 3d clause.

Motion made, and question put, that the following be made the 20th clause:

20. And be it further enacted, that the Supreme Court, or any circuit court, by which any person shall be convicted of wilful vagrancy, shall and may adjudge such person to be imprisoned and kept at hard labour, either on the tread-mill or otherwise, in any gaol or house of correction apart from persons undergoing punishment for other offences, for any period not exceeding six months; and when such persons shall be convicted of wilful vagrancy, and of having been thrice or oftener previously convicted of the said offence, to adjudge such person to be imprisoned and kept at hard labour in manner aforesaid, for any period not exceeding one year, nor less than six months.

Votes

Votes same as on the motion relative to the 3d clause.

Motion made, and question put, that the following be made the 21st clause:

21. And be it further enacted, that it shall and may be lawful for any resident magistrate, who shall be informed that any person then imprisoned within any gaol or house of correction, within the local limits of the jurisdiction of such magistrate, in respect of any conviction for wilful vagrancy, simply, and without the aggravation of having been previously convicted of the same offence, had actually, previously to the conviction in respect of which he is so imprisoned, been convicted once or oftener of wilful vagrancy, to cause such person to be brought before him, and upon the confession of such person, or other due proof of such previous conviction or convictions, to adjudge such person, after the expiration of the term of imprisonment which he is then undergoing, to be imprisoned for such further term as, computed together with the said first-mentioned term of imprisonment, shall not exceed in all three months, where only one previous conviction, and four months when two or more previous convictions shall have been proved.

Votes same as on the motion relative to the 3d clause.

Motion made, and question put, that the following be made the 22d clause:

22. And be it further enacted, that all persons who shall break or escape out of any gaol or house of correction, before the expiration of the term for which they were committed, or ordered to be confined by virtue of the ordinance, shall, upon conviction thereof in the Supreme Court, or any circuit court, be adjudged by such court to be imprisoned and kept at hard labour as aforesaid, for any period not exceeding one year nor less than six months, to be computed from the expiration of the term of imprisonment which they were undergoing at the time of their escape from prison.

Votes same as on the motion relative to the 3d clause.

Motion made, and question put, that the following be made the 23d clause:

23. And be it further enacted, that when it shall appear to any field-cornet or provisional field-cornet, after such examination as hereinbefore directed of any person who has been apprehended and brought before him on a charge of wilful vagrancy, that such charge is frivolous or vexatious, or that there was no reasonable grounds of suspicion against the person so charged, it shall and may be lawful for such field-cornet, or provisional field-cornet, to adjudge the person by whom such person so charged with vagrancy was apprehended and brought, or caused to be apprehended and brought before him, to pay to such person so charged the sum of 1 *s.* sterling for every entire day, and part of a day, which shall have elapsed from the time of apprehension until the time of his discharge; and to grant to such person so charged a certificate of such adjudication in the form contained in the schedule hereunto annexed, marked (C.), and if any person so adjudged to pay such sum as aforesaid, shall fail forthwith, or on production to him of such certificate, to pay the same to the person to whom it was adjudged, or by whom the certificate shall be so produced, then and in every such case it shall and may be lawful for the resident magistrate, or for any justice of the peace for the district in which such person so failing to pay resides, forthwith to cause the process of court to be issued for levying of the moveable property of such person double the amount of the sum so adjudged, and also the costs of such levy; and such double amount, when received, shall be paid to the person by whom such certificate was so produced.

Votes same as on the motion relative to the 3d clause.

Motion made, and question put, that the following be made the 24th clause:

24. And be it further enacted, that when it shall appear to any resident magistrate or justice of the peace, after such examination as hereinbefore directed of any person who has been apprehended and brought before him on a charge of wilful vagrancy, that such a charge is frivolous or vexatious, or that there were no reasonable grounds of suspicion against the person so charged, it shall and may be lawful for such magistrate or justice to adjudge the field-cornet, or provisional field-cornet, or other person to whom the person so charged was apprehended and brought, or caused to be apprehended or brought before such magistrate or justice, or the person by whom the person so charged was apprehended and brought before such field-cornet, or provisional field-cornet, or to adjudge both such last-mentioned persons, either jointly or in certain proportions as under all the circumstances of each particular case shall appear to such magistrate or justice to be most consistent with real and substantial justice, to pay to the person so charged the sum of 1 *s.* for every entire day, or part of a day, which shall have elapsed from the time of his apprehension until the time of his discharge; and if such sum shall not forthwith be paid, to cause the process of his court to be issued for levying of the moveable property of the person or persons so adjudged the said sum and the costs of the levy.

Votes same as on the motion relative to the 3d clause.

Motion made, and question put, that the following be made the 25th clause:

25. Provided always, and be it further enacted, that when the person by whom any person so charged with wilful vagrancy as aforesaid was apprehended and brought before any field-cornet, or provisional field-cornet, resident magistrate, or justice of the peace, has in so doing acted by or under the orders of any such proprietor of land as is in the 16th clause of this ordinance hereinbefore-mentioned, to whose family or household he then belonged, then, and in every such case in which any sum of money shall in manner hereinbefore provided be adjudged to be paid to the person so charged, such landed proprietor, and not the person who shall have so acted by or under his orders, shall be adjudged to pay such aforesaid sum, anything herein to the contrary contained notwithstanding.

Motion made, and question put, that the following be made the 26th clause:

26. And be it further enacted, that neither such adjudication as aforesaid, nor the payment of any such sum shall have the effect of barring or preventing the person to whom it was

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adjudged from suing for or recovering in any competent court any further sum which he may be lawfully entitled to claim from any person whomsoever, by reason of any special damages occasioned to him by his having been illegally and improperly apprehended or detained in custody on a charge of wilful vagrancy.—Carried unanimously.

Motion made, and question put, that the following be made the 27th clause:

27. And be it further enacted, that when it shall become in manner hereinbefore provided the duty of any field-cornet or provisional field-cornet to cause any person to be brought before any resident magistrate, or justice of the peace, he shall send the prisoner under sufficient guard to the next field-cornet or provisional field-cornet residing on or near the road along which the prisoner is to be forwarded, who shall in like manner cause the prisoner to be forwarded on to the next field-cornet, and so in succession until the prisoner shall have reached the place of his destination; and in case no other field-cornet or provisional field-cornet resides on or near the road along which the prisoner is to be forwarded, then the field-cornet or provisional field-cornet in whose charge the prisoner is, shall in like manner forward the prisoner to the next inhabitant residing on or near such road, who, and the other inhabitants residing on or near such road next in succession, shall in their turns receive the said prisoner, and forward him on until he shall have reached the place of his destination; provided always, that when it shall appear to him expedient so to do, it shall and may be lawful for any field-cornet or provisional field-cornet to cause the person or persons by whom the prisoner was apprehended, or whom in manner hereinbefore provided he shall direct to proceed to give evidence before such magistrate or justice touching and concerning the prisoner, to convey the prisoner to such magistrate or justice; and every person who shall fail to do or cause to be done anything which he is herein required to do, or cause to be done, or to obey any lawful orders given by any field-cornet, or provisional field-cornet, in order to the safe custody and transmission to the place of the destination of any such prisoner, shall thereby incur and be liable to a fine of not less than 10 *s.*, and not exceeding 1 *l.* sterling; and no person shall be entitled to claim or demand any sum as expenses incurred by him by reason of anything done by him in forwarding any such prisoner in manner hereinbefore provided. —Carried unanimously.

Motion made, and question put, that the following be made the 28th clause:

28. And be it further enacted, that all the provisions of the ordinances entitled respectively "Ordinance of his Excellency the Governor in Council, for Regulating the Payment of the Expenses of Witnesses attending to give Evidence in Criminal Trials and Preparatory Examinations;" and "Ordinance of his Excellency the Governor in Council, for Altering and Amending so much of the Ordinance, No. 59, as regards the Payment of the Expenses of Witnesses attending to give Evidence in Criminal Trials and Preparatory Examinations, held in Cape Town," and dated respectively the 2d day of April 1829, and the 13th day of January 1830, touching and concerning the payment of expenses of witnesses summoned to appear and appearing in any criminal case before the court of the resident magistrate for any of the districts of this colony, shall, in so far as the same are applicable, extend and be construed to extend to apply to and regulate and provide for the payment of the expenses of witnesses directed by any field-cornet, or provisional field-cornet in manner hereinbefore provided or duly summoned to appear, and appearing in the court of any justice of the peace, at the trial or examination of any person charged with wilful vagrancy; and such justice of the peace, and the clerk of the peace, or other person duly appointed to conduct any prosecution at the public instance in such court (and in the absence of such clerk of peace or other such last-mentioned person than such justice), shall respectively do and cause to be done every matter and thing touching and concerning the expenses of such witnesses as last above-mentioned, which by the provisions of the said ordinances the resident magistrates and clerks of the peace are respectively authorized or required or directed to do or cause to be done touching or concerning the expense of such witnesses as first above-mentioned.—Carried unanimously.

Motion made, and question put, that the following be made the 29th clause:

29. Provided always, and be it further enacted, that no person who shall in manner hereinbefore provided have been adjudged to pay any sum to any person charged with wilful vagrancy, by reason that such charge was frivolous or vexatious, or made without any reasonable grounds of suspicion against the person so charged, shall be entitled to or allowed any sum whatever in respect of the appearance of himself, or by any of his family or household, as witnesses at the trial or examination of the person so charged.—Carried unanimously.

Motion made, and question put, that the following be made the 30th clause:

30. And be it further enacted, that it shall and may be lawful for any resident magistrate or justice of the peace, on the application of any person intending to travel from any place to any other place within the colony, and for any field-cornet or provisional field-cornet, on the application of any person intending to travel from any place to any other place in the district in which or in the district adjoining to that in which the field-cornetcy of such field-cornet or provisional field-cornet is situated, provided such applicant shall first satisfy such magistrate, justice or field-cornet that he or she is possessed of the means, or that there are reasonable grounds for believing that he or she will be enabled to procure the means of honestly subsisting himself or herself, and such of his or her family travelling with him or her as shall be, if males under the age of 18 years, and if females under that of 16 years, during his or her journey, to grant to such applicant a certificate, specifying the names of such applicant, and those of such of his or her family as aforesaid, who are to travel with him or her, the date and place on and at which such certificate is granted, and the place to which such applicant intends to travel, and signed by such magistrate, justice or field-cornet or provisional field-cornet. And no person named in such certificate, and producing the same, shall

shall during any period of time which may reasonably be necessary to enable such person to accomplish his or her journey, and while such person is travelling in the direction of the place so specified as that to which he is travelling, be liable to be apprehended or detained in custody by any person whomsoever as being a wilful vagrant.

Votes same as on the motion relative to the 3d clause.

Motion made, and question put, that the following be made the 31st clause:

31. And be it further enacted, that when any person who has undergone imprisonment in any prison within this colony shall be lawfully discharged therefrom, it shall and may be lawful for the resident magistrate or justice of the peace charged with the superintendence of such prison to grant to the person so discharged a certificate, specifying the date at and the prison from which such person is so discharged, the name of such person, and if such shall have been the case, that such person has behaved well during his or her imprisonment, and signed by such magistrate or justice of the peace. And no person named in any such certificate, and producing the same, shall for the space of 10 days from the date of such certificate be liable to be apprehended or detained in custody by any person, or under any circumstances whatsoever, as being a wilful vagrant, anything to the contrary herein contained notwithstanding.

Votes same as on the motion relative to the 3d clause.

Motion made, and question put, that the following be made the 32d clause:

32. And be it further enacted, that when any person who has been engaged to serve any other person, for any time not less than one month, shall, on the expiration of the period for which such person was engaged to serve, leave the service of his employer, or shall by his employer be discharged therefrom before the expiration of such period, such employer shall and is hereby directed and required to grant to such other person a certificate, specifying the date and the place at which it is so granted, the name of such person, and when he or she has been discharged by such employer, before the expiration of such period as aforesaid, the cause of such discharge, and signed by such employer, or by some person by him authorized to sign the same for him. And every proprietor of land to whom the person named in any such certificate shall produce the same, and make request to be employed, shall and is hereby directed and required to write, or cause to be written upon some part of such certificate, the date when such application is so made, and his name. And no person who shall refuse or fail to do, or cause to be done, any matter or things which by the provisions of this clause such person is directed and required to do, or cause to be done, and who shall not prove that he had some good and sufficient cause or excuse for such refusal or failure, shall be entitled to, or be allowed any sum whatever in respect of his appearance as a witness at the trial or examinations, on a charge of wilful vagrancy, of the person to whom he shall have refused or fail to grant such certificate, or upon whose certificate he shall have refused or failed to write in manner hereinbefore provided.

Votes same as on the motion relative to the 3d clause.

Motion made, and question put, that the following be made the 33d clause:

33. And be it further enacted, that every such certificate as in this ordinance hereinbefore mentioned, shall at any trial or examination on a charge of wilful vagrancy of any person named therein, until the same shall be proved to be false, forged or counterfeited, be received as evidence, and be deemed and taken of itself to prove the truth of the contents thereof.—Carried unanimously.

Motion made, and question put, that the following be made the 34th clause:

34. And be it further enacted, that if any person shall in any such certificate wilfully certify or write anything that is untrue, or shall forge or counterfeit any such certificate or writing thereon, or shall use or utter as genuine any such untrue, forged or counterfeited certificate or writing thereon, knowing the same to be untrue, forged or counterfeited, then and in every such case such person so offending shall, on conviction thereof, be liable to be imprisoned, either with or without hard labour, for any period not less than three months nor exceeding one year.—Carried unanimously.

Motion made, and question put, that the following be made the 35th clause:

35. And be it further enacted, that every resident magistrate and justice of the peace shall, on the first Monday in each month, make or cause to be made lists containing the names and description of every person who shall, during the preceding month, have been before him convicted of wilful vagrancy, and specifying whether the conviction was for the first offence or otherwise, and the dates of such convictions, and shall sign the same, and shall forthwith cause one such list to be transmitted to the keeper of every gaol, house of correction or other prison within this colony; and on every such list, on the cover whereof there shall be endorsed the words, "List of vagrants;" and the signature of such magistrate or justice shall pass and be conveyed free of postage; and such lists shall be filed and preserved by such keepers as aforesaid, and upon the trial or examination of any person charged with being wilfully vagrant, such lists shall be and be deemed and taken to be good and sufficient evidence that any person named therein was duly convicted of wilful vagrancy in manner therein set forth.—Carried unanimously.

Ordinance referred by his Excellency the Governor to the Judges of the Supreme Court.

RESOLUTIONS of the Council, relating to the Moral and Religious Instruction of the Hottentots and other free People of Colour; the Appropriation of Lands for the Benefit of the same; the Subdividing of the Districts of Worcester and Graaf Reinet, and of various Field-cornetcies; the Repeal of the 2d Section of the 50th Ordinance, and of all existing Laws for the Prevention or Punishment of Vagrancy; and praying His Majesty's Government to allow the Vagrant Ordinance.

Resolution 1. That, considering that the communication of Christian instruction to the coloured population of the colony in general is a paramount act of duty, we have learnt with great

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great satisfaction that in the Resolutions of the House of Commons on the 25th June 1834, "relative to the internal Government and Prosperity of His Majesty's Colonial Possessions," the House, before proceeding to pass an Act for the Abolition of Slavery throughout the British Colonies, resolved, "That His Majesty be enabled to defray any Expense that he may incur in providing, upon liberal and comprehensive principles, for the Religious and Moral Education of the Negro Population to be Emancipated."

That we beg leave humbly but earnestly also to recommend to His Majesty's benevolent care the state of the Hottentots and free people of colour of every denomination; that no doubt can be entertained of the happy result of those Christian endeavours, and that we cannot forbear to indulge the gratifying hope that, by the gradual diffusion of the blessings of civilization and of moral and religious knowledge amongst them, they will be rendered not only useful members of the colonial community but valuable subjects of the British empire.

Resolution 2. That it is, in our opinion, an imperative act of justice towards the Hottentots to restore to them, in addition to the enjoyment of freedom and security of property, the means of subsistence on that land which has been emphatically designated "as originally and exclusively their own;" whilst it is at the same time a measure of the soundest policy towards the coloured classes in general to stimulate them to exertion by giving them motives of industry, and to endeavour to elevate their character by encouraging and rewarding the industrious.

That we earnestly recommend, that whatever lands still remain available for this purpose throughout the colony may, with as little delay as possible, be granted in absolute possession to the Hottentots and other free people of colour, according to such rules as to the Colonial Government may appear necessary, reserving a sufficient portion of land for the use of a clergyman or teacher, and the erection of a church and school, wherever a number of the families of the free coloured people are settled.

Resolution 3. That in the same Resolution of Parliament that enables His Majesty to defray any expense he may incur in providing for the moral and religious instruction of the negro population about to be emancipated, there is also included a like provision "for establishing an effectual stipendiary magistracy in the colonies."

That it is much to be feared, however, that such stipendiary magistracy will be withdrawn when the period of apprenticeship of the emancipated negroes shall have expired.

That the chief obstacles to the maintenance of order, prevention of crime, and due administration of the law in this colony, are now as they ever have been, the extreme paucity of magistrates of every description, the immense extent of the country districts (particularly of those abutting on the frontier) and of the field-cornetcies, and the ill adaptation of all the public gaols for any of the objects of prison discipline; that we earnestly recommend that at the least the two districts of Worcester and Graaff Reinet, and the greater proportion of the field-cornetcies, be subdivided, and the number of the justices of the peace augmented; and that such alterations be effected in the public gaols throughout the colony as will permit of the classification of prisoners, the use of "solitary confinement," and of "tread-mills," or some other equally efficacious mode of punishment.

Resolution 4. That adopting in their fullest extent the truly Christian and philosophic sentiments expressed by Mr. Wilberforce, on the occasion already alluded to: "That distinctions of whatsoever kind between the European and coloured races must tend to extinguish sympathy, and materially obstruct the growth of mutual good-will and civilization," and that the existence of such distinctions "is powerfully calculated to generate or maintain in the minds of both feelings towards each other the reverse of those which we are bound no less by sound policy than by every religious and moral consideration to promote;" and concurring with Dr. Philip, that previous to the enactment of the ordinance of the 17th of July 1828, both the Dutch and English governments in this colony, and upon many occasions, admitted that the Hottentots were a "free people," and "that anything in the shape of compulsory service is a violent usurpation of their justly recognized rights; that they have a right to consider themselves, and expect to be treated, as a free people; and that their persons, property and possessions should be protected the same as other free people," we give our unqualified approbation to the discontinuance of "those obnoxious usages and customs," and unreservedly admit the injustice and impolicy of that system from the withering effects of which the free coloured population of the colony was emancipated by that ordinance and His Majesty's Order in Council of the 15th January 1829.

That, entertaining these sentiments with perfect sincerity, we are very far from contemplating the re-enactment of any the slightest legal restraint on the liberty of the free coloured classes which shall not equally affect all others of His Majesty's subjects throughout the settlement, or which is not imperatively called for by the circumstances of the colony; although we at the same time will not conceal our deliberate conviction that a large proportion of the individuals composing those classes, was, at the date of the promulgation of the ordinance, and continue to be so at the present hour, ill prepared, to say the least of it, to receive the gift of even "civil liberty," which was thereby secured to them.

That the effect of one of the provisions of that ordinance (2d section) has, however, been to confer on the Hottentots not only the inestimable boon of civil liberty, but a gift not less pernicious to themselves than to their fellow-subjects, that of absolute freedom, on certain points, from all legal restraint, inasmuch as (according to the unanimous opinions of the judges of the Supreme Court, transmitted in answer to the queries proposed to them by this council, dated 5th August 1834,) "no law which at present exists, nor any that may be framed, for the suppression of vagrancy, can be carried into effectual operation, in respect of Hottentots and other free persons of colour lawfully residing in this colony, shall be subject

subject to any hindrance, molestation or imprisonment of any kind whatsoever, under the pretence that such person has been guilty of vagrancy, unless after trial in due course of law."

And inasmuch as it appears, from a petition presented to this council by Dr. Philip, "That memorialist had the 50th ordinance submitted to him by the heads of the Colonial-office in Downing-street, for his opinions on it, before the seal of the King in Council was affixed to it;" and that he gave his consent to it, as it now stands, on the ground that it was to be considered, and particularly the 2d section of it, as securing the aborigines from being arrested on the charge of vagrancy, except after trial in due course of law, as an additional protection to that afforded by the declaration of Parliament, which placed the Hottentots under the same law as the other colonists.

That on this point we feel ourselves called upon to remark, that when pleading the cause of this portion of His Majesty's subjects in 1828 (before the promulgation of the ordinance in question), Dr. Philip himself explicitly declared, that "he sought," on their behalf, "for nothing unreasonable, nothing illegal, nothing new;" that "he recommended no checks but such as were necessary to destroying another;" that "he asked nothing for the poor natives more than this, that they should have the protection the law afforded to the other colonists."

That we are of opinion, however, that to procure, or endeavour to procure, the exemption of the Hottentots and other free people of colour from the operation of a vagrant, or any other law to which their fellow-colonists are subjected, is directly at variance with the spirit and letter of this declaration.

That we are further of opinion, that to continue to the coloured classes this or any other exclusive privilege or immunity whatever, is both unjust and impolitic.

That they can only enjoy such virtual exemption from the usual obligations of society at the expense of those who are amenable to such obligations.

That, as has been truly stated by one of their own missionaries (Mr. Vanderkemp), one of the almost insurmountable obstacles to the progress of the Hottentots towards civilization and happiness, is their natural indolence, to an extent that proves "a fertile root of vice and misery, and renders them deaf to motives by which the rest of mankind are stimulated to action."

That the Hottentots are, moreover, of an unsettled roaming disposition, fondly attached to the savage pleasures of nomadic life, averse from fixed or orderly habits and employments, and by far the greater proportion of them utterly unacquainted with, and regardless of, even the most ordinary artificial wants and comforts of civilized life.

That we concur with Dr. Philip, viz.: "the first step towards the civilization of a savage, is to arouse the thinking principle. This can only be done by proposing to his mind considerations of sufficient force to overcome his native indolence. These considerations must be addressed to his passions, and suited to his capacity. His natural partiality for his own habits and mode of life neutralizes the force of arguments derived from the comparative advantages of civilization. The desire of hoarding, in the savage, is too weak to excite enterprise or industry. Although when he sees the fruits of civilization and industry he may desire to possess them, he would much rather sleep in his sheep-skin kaross, and depend upon the precarious subsistence of the chace, than submit to the labour of cultivating the ground, or of providing other clothing." But we submit that no considerations of sufficient force to overcome his "native indolence," can with any prospect of success be proposed to those who are permitted to roam throughout the colony in a state of vagrancy.

That with the habits and disposition above ascribed to the free people of colour, the unhappy gift that has been conferred upon them of unrestricted liberty, is powerfully calculated to impede their progress in civilization, and to counteract that industry which should form the best means of their improvement; and that if, as has been asserted, their condition before the enactment of the 50th ordinance was infinitely worse than that of the slaves, and that the various laws and proclamations, both English and Dutch, that were repealed by that ordinance, although doubtless framed with the intention of improving their lot, were nevertheless calculated to brutalize the creature, and unfit him for the duties and obligations of a member of a civilized community, it is no less true, that their present anomalous position in the colony is altogether incompatible with social order, subversive of the rights and security of the property of others, and a direct infringement on that "civil liberty of every class of their fellow-subjects," which consists "not," as we fear the coloured classes are too prone to believe it does, "in a mere absence of restraint," but in the undisturbed enjoyment of legal rights, alone to be derived from the efficient protection of civil government.

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## LETTER from Dr. *Philip*, on the SECOND ORDINANCE.

I have been so much occupied since I received the Commercial Advertiser, of the 1st November, last week, that I have not had leisure to peruse with attention the resolutions of the council, in regard to the Vagrant Act, till this morning. On the laudable zeal of the council to promote the religious instruction of the Hottentots, and other free people of colour; on the benevolence the majority of the council manifest in the appropriation of any available lands in the colony for the benefit of the same; and on that part of the prayer of the resolutions for increasing the number of the justices of the peace in the country districts, it is unnecessary to say much. The Vagrant Act itself, to which it appears to be the object of the first, second, and third resolutions to gain the King's sanction, is the best commentary on the views of its supporters and framers, and of their piety and benevolence. After I had heard of the decision of the council, and before I had seen the principles of that decision developed in the resolutions in question, I was at a loss to conceive what facts and arguments

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would be employed to induce our gracious Sovereign to retract so soon the privileges he had granted to the Hottentots and other free people of colour. Various questions arose in my mind on this topic, such as, How will they get rid of the arguments brought forward against the Vagrant Act? How will they dispose of the numerous and stubborn facts in the memorials sent into the council, demonstrating the cruel effects to which the proposed ordinance must necessarily give rise should it be passed into a law? What will they say of the construction put upon the draft of the ordinance by the field-cornets, and of the terror which their proceedings occasioned in the neighbourhood of our missionary stations? How will they explain the eagerness with which those local authorities made their domiciliary visits to the houses of the boors, and the straw sheds of the Hottentots, to force the latter into contract; and forbidding them to depart from their houses without passes, under the pain of being apprehended as vagrants? And what grounds will be alleged for the annulling of the 50th ordinance? From the answers which might be given to the above questions I had not much apprehension; but I certainly did not expect that the majority of the council would hazard their reputation with the Government at home, in a document of this nature, which has nothing in it in relation to the point at issue, setting aside a few unsupported assertions. What has the approbation of the majority of the council; of the views of the Home Government, as it relates to religious instruction; the promise of a few acres of land, if there are available lands in the colony, to a few Hottentots; the subdivision of the districts of Worcester and Graaf Reinet; and the declaration of an individual, that he did not ask for the 50th ordinance; in addition to the resolution of Parliament in regard to the freedom of the Hottentots, and other people of colour in their circumstances, to do with the necessity of the proposed Vagrant Act, and the rescinding of the 50th ordinance? Was there no one, in the majority of the council, to show to the King of England that the Vagrant Ordinances previously in existence were not sufficient for the protection of the lives and property of His Majesty's liege subjects in this colony. It is curious enough to preface such an Act as the one proposed, with a promise of giving any available land, lying nobody knows where, to a few of the people to be affected by it, at a time when we have 1,500 boors, with at least 1,500,000 head of live stock depasturing and spreading desolation and famine among the native tribes beyond the colonial boundary; and who use as a plea for their emigration (and a plea too which has been in former years sanctioned by government), that they have not sufficient land within the colony on which to graze their flocks and herds. Giving the majority of the council all the credit which can be demanded for their sincerity, for the sake of the argument, I shall allow that they may be able to give to a few Hottentot families some portions of reserved land on which they may be able to support themselves; but it may be affirmed, with certainty, that they will not find at the disposal of government available lands which will support 1,000 on the plan proposed; and what is to become of the 70,000 or 80,000 people of colour within the colony, for whom no such provision can be made? What comfort will it be to them, under the horrors to which the Vagrant Act would consign them, to be told that 1,000 people of colour had been put in possession of a few acres of land each? Could the majority of the council be ignorant that, when they were in this instance expressing the "unqualified approbation of the discontinuance of those obnoxious usages," and unreservedly admitting the injustice and impolicy of the old system, that by the new Vagrant Act they were reviving that system in all its cruel enactments, and in all its withering effects against the coloured population of the colony? The resolutions speak the language of mercy and of freedom, but the Vagrant Act speaks of nothing but slavery and misery. The cruel apparatus inseparable from compulsory labour is, but ill concealed in the proclamations of Lord Caledon and Sir John Cradock; but in the present ordinance no concealment is attempted; the iron of the chains has not even a covering of paint, and for anything which breathes the spirit of humanity we must look to the resolutions of the council, not to its Vagrant Act. In the records of this colony, whether Dutch or English, I have seen nothing in the shape of a law so appalling to humanity and religion. The effect of one of the provisions of the 50th ordinance (says the 4th resolution) "has been to confer on the Hottentots not only the inestimable boon of civil liberty, but a gift not less pernicious to themselves than to their fellow-subjects, that of absolute freedom, on certain points, from all legal restraint." As it was never understood till the judges of the Supreme Court gave their opinion on this point (2d section of the 50th ordinance), that the Hottentots and other free people of colour had a right to absolute freedom, on certain points, from all legal restraint, the majority of the council has as yet no reason to complain of its having been the occasion of any pernicious consequences to the Hottentots themselves, or to any of their fellow-subjects. We venture to affirm, and to prove our affirmation, that this freedom does not exist in this colony, and never did exist, except in the resolutions of the council. The meaning of the 2d section of the 50th ordinance is plain enough, and it is this, "that no Hottentot can be punished as a guilty person, unless found guilty after trial in due course of law." It is clearly enough expressed in the letter of General Jansen to the landdrost of Stellenbosch: "No private person must dare to put them in chains, or to chastise them; their offences against others must be punished by magistrates on regular trials, and these magistrates must hear and do them justice, when they complain of offences against themselves." We have now seen that the Hottentots and other free people of colour have never, in the practice of the colony, been exempted from the operation of any law affecting any other class of His Majesty's subjects in this colony. What then becomes of the "exclusive privileges" and "absolute freedom," on certain points, from "all legal restraint?" No instance can be shown in the colony of any field-cornet, or any other of the local authorities, ever being restrained from arresting Hottentots, under the impression that they must be first tried and convicted of vagrancy, or some other punishable offence, before they can be arrested.

arrested. No Hottentot or other free person of colour ever resisted an arrest on this ground; no one of that class of people ever pleaded this exclusive privilege before a magistrate in arrest of judgment; no one of them ever sought damages in a court of justice on this ground, and no one of them ever complained that he had been brought up before a magistrate for trial before he was found guilty of the charge brought against him. The friends of the Hottentots would never have got a hearing in Downing-street, or in the British Parliament, if they had been such fools as to ask anything for that people, or for any other people, so unreasonable and absurd. With these facts before us, what are we to think of all that is jumbled together in this document about "the pernicious influence of this gift to the Hottentots themselves, and to their fellow-subjects?" The "unrestricted liberty" said to have been conferred upon them, counteracting their progress in civilization and industry; "their anomalous position in this colony, as altogether incompatible with social order, subversive of the rights and property of others;" and "as a direct infringement of that civil liberty" of every class of their fellow-subjects, which consists "not, as we fear the coloured classes are too prone to believe it does, in a mere absence of restraint, but in the undisturbed enjoyment of legal rights, alone to be derived from the efficient protection of civil government." One wholly unacquainted with this colony, and with the state of other colonies under the British Crown, and of the real character of statements which have been made from time to time respecting the slaves in our colonies, might have supposed, from the 4th resolution of the council, that this "pernicious gift" had set the Hottentots and other free people of colour above the restraints of all law; that they had become, by the operations of this law, a class of privileged robbers, against whom it was dangerous even to complain, and to whose offences magistrates and judges were afraid to deal out the same measure of justice awarded to similar offences in their white fellow-subjects. In reply to such insinuations, we ask when or where was it ever known in this colony that the man of colour left the court of a magistrate, or the Supreme Court, exempted from punishment for being a partner in an offence for which he saw his white associate condemned by the sentence of the court? In what judicial or magisterial report in this colony are we to look for a lighter sentence being awarded to a Hottentot, or other free person of colour, than has been awarded to a white man for the same measure of guilt? What has been the practice of the jury courts of this colony, when murders have been perpetrated on Hottentots by white men, and *vice versâ*? At which of the chief towns in the colony have our judges, before 1834, when on the circuit, been heard to explain the colonial law as awarding a heavier punishment to the white man than to the man of colour? Not at Graham's Town, not at Graaf Reinet, not at Beaufort. In what judicial or magisterial reports do we find the convictions of the accused more numerous on the side of the white men than they have been on the side of the Hottentots and other free people of colour? Is the honourable council willing to hazard the point at issue on the results of such an investigation on all the above questions taken together, or on any one of them? We think not. The white colonists will have no occasion to regret if they meet with a defeat in this contest; they are under immeasurable obligations to the Hottentots, and if the 50th ordinance has saved them from the chains which they would have put into the hands of the local authorities of the country to reap an immediate advantage from the slavery of the Hottentots, the day may not be very far distant when they may regard their present disappointment as a merciful deliverance. It has been remarked that liberty consists in the undisturbed enjoyment of legal rights alone to be derived from the efficient protection of government; a definition of liberty (begging the pardon of the majority of the council) which is as applicable to the uncontrolled power of the master over the slave as it is to liberty; the Hottentots and other free people of colour know as well what liberty is as the honourable majority of the council. They know that this 50th ordinance is a legal instrument, that all the rights it guarantees to them are legal rights, and that liberty consists not in being without law, but in being in subjection to law; not in violating the law, but in obeying it. Where are the coloured population to be found, who consider liberty as consisting in a total absence of restraint? Not at the missionary institutions, there the people are better taught; not among the boors, there no such doctrine is put in practice; not in the magistrates' courts; not in highways, where the people of colour are seen working in chains. Seriously, is there a man of colour in this colony in the condition of a free man, and in the possession of a sound mind, that does not know that there are magistrates, and prisons, and whipping-posts, and forest-timber in the country to furnish whipping-posts and gibbets for the punishment of thieves and riotous persons, and murderers, and other evil doers? The majority of the council would have us to give them credit for their impartiality in this case, on the ground that the law is intended to affect all classes of the community. Whatever may be said on this subject, this is a way of defending the Vagrant Act by which no one in this colony is simple enough to be deceived. The plan proposed, shortly after General Bourke had left the colony, to have a code of laws for the people of colour, by which the colour of the offender was to be taken into consideration in weighing the punishment to be inflicted for offences against this new law; the consternation and indignation manifested when it was known that the seal of the King and Council was affixed to the new law (the 50th ordinance), rendering it impossible to enact any law which is not so framed as to affect the whole of the population, or rather to embrace them under its provisions; the speeches and resolutions passed at the public meetings, at which memorials were got up, praying for the passing of the Vagrant Act into a law, together with the conduct of the local authorities, who acted upon the draft of the ordinance as a law, throw around the 3d resolution, defending the proposed Act on the ground that it was designed to affect all classes of the community, something more than an air of ridicule. The proposed Vagrant Act may one day affect the white as much as the coloured classes of the community; but

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but it has been declared, as plainly as words and actions can declare it, that to affect the former is not the intention of the framers of the Act; and that the intention of the Act is to place the coloured classes alone under its operation. A law, prohibiting the natives of the country from fishing on our coast, might be promulgated without any restrictions, yet it would in reality affect none but those who reside near the coasts. No one acquainted with this colony can be at a loss to determine against whom the provisions of this ordinance were intended, which subjects to heavy penalties such as gather wild honey, or dig bulbous roots on government ground, and those who cannot satisfy any one who may arrest them on suspicion of vagrancy how they have subsisted for the three preceding days. It is curious enough to see a law that confounds all moral distinctions, that punishes a man as severely for digging bulbous roots, collecting wild berries or wild roots, as if he had committed an atrocious crime, prefaced with so much about religious instruction, and so many professions of tenderness for the natives, and of concern for their improvement. How nauseous do such professions become when we see them mixed up with the provisions of such an Act. The majority of the council must have been at a great loss for facts to prove the necessity of the new Vagrant Act, before they could adduce for that purpose 28 petitions from the white or pro-slavery population of this colony, and the 29th petition from the 80 Hottentot toomens (farmers) in the Kat River. The petition from Graaf Reinet, in which the petitioners urge the pledge given them in the circular of 7th January 1834, which taught the petitioners to expect that "a sufficiency of labourers would be secured to the colony, by compelling not only the liberated apprentices to earn an honest livelihood, but all others, who, being capable of doing so, may be inclined to lead an idle and vagabondizing life," furnishes a fair specimen of the views of the petitioners in other parts of the colony, and shows clearly enough that the object of the Vagrant Act is to secure a sufficiency of labourers to the masters on their own terms. The number of the signatures of such men, praying for a Vagrant Act to secure them labourers, can have no more influence with the British Government in deciding that government in its favour than petitions from them would have to have their slaves restored to them, after having paid to them the price of their redemption. If the pro-slavery petitions have no weight in the scale, the weight which may be attached to the sentiments of the Kat River farmers belongs to the opposite scale. Eighty Hottentot farmers were induced to sign they knew not what. In making this assertion, we are perfectly aware of the ground on which it stands: we repeat it; they were induced to sign they knew not what: and if a proof of our assertion is demanded, we refer for that proof to the memorial signed by them, the prayer of which is, "That a Vagrant Act, not incompatible with the 50th ordinance, might be passed into a law." Did not the 4th clause of the 1st ordinance proposed, do away entirely with the 50th ordinance, in subjecting the Hottentots to be arrested as vagrants, and treated as such, and compelled to labour as convicts, or to find masters, without any trial in due course of law. Take this single section out of the 50th ordinance, and nothing is left behind. This Vagrant Act was indeed rejected, and another was substituted in its place. The second Vagrant Act actually annihilates the 50th ordinance, and formally sets it aside; and the majority of the council have the temerity to bring forward in support of that ordinance a memorial, the prayer of which is limited to a Vagrant Act not at variance with the 50th ordinance. With such an action before us, an action for which no name that is too hard can be found, we have no reason to be surprised that the council passed over in silence, in this document, the fact that 400 Hottentot farmers on the Kat River petitioned against the passing of the Vagrant Act. We may be deemed uncharitable for not receiving the declaration of the council, as to its motives on this subject. The council has said, "entertaining those sentiments with perfect sincerity, we are very far from contemplating the enactment of any the slightest legal restraint on the liberty of the free coloured classes, which shall not equally affect all others of His Majesty's subjects throughout the settlement." If the sincerity of the majority of the council is at all impeached by what follows, the majority of the council has itself to blame in this affair. Of whom, or of what class or classes of people does the majority of the council speak in the following passages? "A large proportion of the individuals comprising these (namely the coloured) classes was, at the date of the promulgation of the ordinance, and continue to be at the present hour, ill-prepared, to say the least of it, to receive the gift of civil liberty which was thereby secured to them." The effect of one of the provisions of that ordinance (2d section) has, however, been to "confer on the Hottentots not only the inestimable boon of civil liberty, but a gift not less pernicious to themselves than to their fellow-subjects—that of absolute freedom on certain points from all legal restraints. Vagrancy, in a large proportion of the free coloured classes, has become an inveterate habit. That the experience of six years has fully proved the evil consequences of restoring to the Hottentots their civil rights, without at the same time imposing upon them such restraints as are not only compatible with, but constitute the surest safeguard of civil liberty; and that it would be an act of injustice towards the aborigines themselves any longer to indulge. But there can be but little doubt that at the expiration of that period (namely, the period of the slaves' apprenticeships) their (the slaves) conduct will in these, and all other respects, greatly depend upon the state of the law affecting them and their fellow-subjects of the coloured classes who are at present free." Throughout the whole of the resolutions of the majority of the council, the coloured classes are spoken of, and spoken of as the exclusive objects of the Vagrant Law. It was the coloured classes that were unfit to be free, when the 50th ordinance conferred upon them their liberties; to whom civil liberty has proved a pernicious gift; with whom vagrancy has become an inveterate habit; on whom restraints are to be imposed; and to whom it would be injustice not to impose such restraints; it is the aborigines that we are no longer to indulge, and it is to the restrictions

restrictions under which they may be placed on which is to depend the conduct of the slaves when their apprenticeship shall have expired. Substitute the word "condition" for that of "conduct," and all will be explained that is worth inquiring after. The Vagrant Act framed for the aborigines will then determine the condition of the slaves, it will be the law under which he will be placed. The resolutions of the council, and the facts which have been stated, we shall not attempt to reconcile with the declaration: "We are very far from contemplating the re-enactment of any the slightest legal restraint on the liberty of the free coloured classes which shall not equally affect all others of His Majesty's subjects throughout the settlement." We have never seen any document, purporting to have one object in view, such conflicting statements as the following: "That, under all these circumstances, we have come to the conclusion that the enactment of a new law for the suppression of vagrancy is imperatively required; one which, without infringing the civil liberty of or exposing to the slightest risk of oppression any class or individual of His Majesty's subjects, will have the effect of preventing any person from wilfully living idle," &c. "We have accordingly, after mature deliberation, passed an ordinance, founded on the principle that it is expedient and possible by the fear of punishment for wilful idleness, to compel persons who have not wherewithal honestly to maintain themselves. And we submit that a law, which shall have the effect during the ensuing four years of compelling the wilfully idle and dissolute among the latter to abandon their evil courses, and betake themselves to industrious habits, will most essentially contribute to prevent the apprenticed labourers, when released from compulsory service, from yielding to the temptations to which their new position in society will necessarily expose them." Who are to be the judges of the wilful idleness of the coloured classes? How are the wilfully idle among the slaves, when they shall be freed from compulsory service, to be compelled to labour? By whom, and for whom, are they to be compelled to labour? Who is to support them and their wives and children when employed in this compulsory labour? Suppose they shall refuse to labour, are they to be tied to the wheel of a waggon and flogged by their masters? Consigned to the wretched prisons which are to be seen in too many parts of this colony, fed on rice-water, put upon the tread-mill, or herded with felons upon the public roads? The annals of oppression can exhibit nothing beyond this. Any law in this colony that would attempt to compel the wilfully idle to labour, would be a law which would give back to the masters the whole of the slave population under a law more cruel and dreadful in its operation than the old slavery law of the colony, because the masters having no interest in their lives beyond their immediate services they would have no checks upon their avarice. And yet the majority of the council with matchless simplicity tell us that this is to be done "without infringing the civil liberty of or exposing to the slightest risk of oppression any class or individual of His Majesty's subjects." It has been alleged that this Act was framed for the suppression of vagrancy. If it were so, we have shown that the measure is as impolitic as it is unjust; but we go a step further, and we utterly deny that this is the object of the Act. Here let the originator of the Vagrant Act be heard, as to his intentions with regard to that Act (see circular for January 7th 1834). In this extraordinary document, it would appear as if stipendiary magistrates were to have nothing to do but to watch over the interests of the masters, to punish the insolence and insubordination of apprentices, and to secure a sufficiency of labourers to the colony, by compelling not only the liberated apprentices to earn an honest livelihood, but all others, &c. We have here the very soul and blood, the bones and muscles of the Vagrant Act: The masters want servants, and they are apprehensive that their slaves will leave them when they become free men; and they wish to have the apprenticed labourers, when their term of apprenticeship shall expire, on their own terms; and as they cannot, without shuddering, think of soliciting favours from those they have been accustomed to command, or to exchange the means which they were accustomed to employ to extort labour from them for a conciliatory system, they called upon the government to interpose its authority to compel their servants to remain with them, and that circular promised them all they wished for. They could wish for nothing more,—and there is no despotism on earth that could promise them more. Let the people of England read the circular; let them look at the word "*compelling*," printed in the circular in italics, and ask themselves for what they have engaged to pay 20,000,000 *l.* for the redemption of the slaves. The name of freedom is no better than mocking and insult to the slaves, if they are no sooner to be declared free than they are to be again brought under the operation of such a law. It was in the letter and spirit of this circular that the draft of the ordinance of the 11th of May was framed. General Jansen's proclamation went far enough in its way; the 1st and 2d sections of the 32d Ordinance are an abridgement of the English law on the subject of vagrancy, and which is sufficiently comprehensive and severe in its penalties; but both spoke the language of the 50th ordinance. The Hottentots and other free persons of colour "were not to be punished on the vague charge of vagrancy, or for any other offence, unless after trial in due course of law." For the suppression of vagrancy, every man that knows the state of the colony knows that no law was required in addition to the laws then in operation; and no Vagrant Act, short of one that would give the colonists the labour of the coloured population at their own disposal, and on their own terms, was asked for. And when the council saw that the apprehension and punishment of the people of colour on the vague charge of vagrancy, as proposed in the draft of the ordinance, was in direct opposition to the 2d section of the 50th ordinance, the whole was abandoned. No one can read the second draft of the ordinance and not perceive in it the same object. The framer of that ordinance must have been a great simpleton, if he supposed his design in it could not be penetrated and seen through. It was not for the preservation of wild beasts, or of bees or wild honey, or of bulbous roots,

No. 2.
Papers referred to in Evidence of the Rev. *J. Philip*, D.D.
11 July 1836.

that such an ordinance was framed; but he knew that no Hottentot could be found, in any part of the country distant from his home, who would not be liable to be convicted of vagrancy by such a law. Men may play wild freaks with the immutable laws of the Creator, but these things they will not be able to do with impunity; and every violation of those laws will produce a reaction that will punish in the children the sins of the fathers to the third, fourth, and perhaps tenth generation. The coercive system has been long tried in this colony, and what have been its fruits but those of beggary and barbarism? And had the abettors of the Vagrant Act succeeded, they would have sealed up all classes of the colonists in a state of hopeless wretchedness. Can any one look at the state of things in this colony, and wish them to remain as they are? Is it possible to visit the families of the boors, and wish that the present state of things among them should remain stationary? Is it desirable that they should always occupy houses surrounded as they are with miserable straw hovels; that their kitchens should swarm with men, women and children, in a state of nature; that their children should grow up without any other companions than naked children, brought up in ignorance and slavery; that they should have no work done but by a people whom they are from morning to night obliged to superintend with a sambock in their hands, and that the cultivation of their grounds should never extend beyond what was necessary to feed their wretched dependents, and furnish, what is barely sufficient, their wives and daughters with the commonest articles of clothing? What English gentleman would exchange the easy and respectable condition of the landlord for that of the slave-master? Let any white colonist in South Africa look at his immense estate, and say whether it would not be a more desirable state of things to see that estate cultivated by a respectable peasantry, paying him rent for every acre of it, than to see it in its present unproductive condition? A country can never be anything but a barbarous and miserable country till the landed proprietors, exempted from labouring with their own hands, can find leisure for the improvement of their own minds, and the means of educating their families; and this never can be the case while they shall be under the necessity of farming their own estates, and of cultivating them by a degraded population. It will be admitted by all, that such a consummation is devoutly to be wished for; but it will be alleged, that in the present state of things it is not to be expected. It is readily admitted that it will require time and means to bring it about; but the obstructions to be removed are not greater than those that once impeded the progress of civil society in other countries; and let us only employ the same means in this colony, and we shall see the same results. Everything that has a tendency to raise the lower orders in the scale of being will serve to hasten the event; and it is impossible to conceive of anything having a greater tendency to retard it than the proposed Vagrant Act. If the people are not fit to be placed in a free condition, they never can be made more fit for freedom by such a measure. We can never elevate them by depressing them, or make them fit for being free by accustoming them to walk or labour in chains. The honourable council must have been very much at a loss for accusatory matter against me, before they thought of accusing me of inconsistency, for having asked for the seal of the King in Council as a guarantee for the liberties of the Hottentots. When I asked for the poor natives nothing more than this, that they should have the protection the law afforded to the colonists, it certainly did not occur to me that the colonists would ever afterwards be content to surrender the legal securities they had against oppression, for the purpose of enslaving the Hottentots and other free people of colour; but the simple fact, that they were willing to make such a surrender for the purpose of enslaving the people of colour, shows the correctness of the opinion I had formed on this subject, that the 50th ordinance would have been worth nothing without the guarantee in question, and fully justifies me in having refused to accept of the ordinance from the hands of Ministers without it. When the resolutions of the council were published, I happened to be on the eastern frontier of the colony, and the papers containing them had been in circulation some weeks before I saw it; but the attack on my character was met and repelled by Mr. Fairbairn, in the same paper in which the resolutions containing it appeared. So far as the Cape public were concerned, Mr. Fairbairn's defence of my conduct was sufficient; but as it is not probable that the defence was sent home to the Colonial-office along with the attack, in justice to myself and to the cause which I am pleading, I shall now take the liberty of referring to it in that gentleman's own words: "Below, the reader will find certain 'resolutions adopted by the majority of the council,' for the purpose of inducing the King to give his consent to their Vagrant Ordinance. They may be safely left to tell their own story, as the whole resolutions taken together are more completely *felo de se* than anything of the sort we have ever seen. One thing, however, we cannot pass over in silence, and that is, the attack, made in the 4th resolution, on the character of a private individual by this 'legislative council;' in his absence too, and without notice. The inconsistency attempted to be proved against Dr. Philip is to be found neither in the 'letter' nor in the 'spirit' of what that gentleman has written. What he asked for was neither 'a new law,' nor anything contrary to law, or 'illegal;' but he said, in effect, 'Any law or ordinance affecting the coloured people, which can be altered or repealed by the local government, is not, for the purposes of protection, worth the paper on which it is written. Let the King in Council affix his seal to the law as it stands by General Bourke's Ordinance, No. 50, and I am satisfied.' Thus he asked for an additional 'guarantee' to the sum as it stood, and for nothing else. The hatred entertained by certain parties against this missionary seems not only to have seared their hearts, but actually to have turned their brains. In a formal resolution of council, with which he had no more concern than any other individual in the colony, they present to the King of England a laboured argument that would disgrace a pettifogging attorney, to fasten on him a 'verbal inaccuracy,' AND FAIL. In what are these atrocious attacks on character to end? Is the legislative council a court of inquisition,

inquisition, in which we are to be tried in our absence, and the sentence of condemnation transmitted to our Sovereign in secret? for it is only by favour that we became possessed of this treacherous document. Now, thank Heaven, the doors are open, and all such attempts will hereafter be met *in limine*. Who wonders now at the 'seven reasons' for excluding the public?"

*Note.*—In 1830, shortly after my return to the Cape of Good Hope from England, I found Cape Town and the colony in general under great alarm, from reports that had been every where circulated, stating, that in consequence of the liberty granted to the Hottentots by the 50th ordinance they had left the service of their masters, and had formed themselves into numerous banditti, and were plundering the colonists in every direction. To ascertain the truth of these reports, in the commencement of the year, I undertook a journey into the interior. When I inquired in Cape Town where I should find those bands of marauders and plunderers, I was told that they were at Hottentots Holland; at Hottentots Holland I was told that they were at Swellendam; at Swellendam that they were at George; at George that they were in the Long Kloof; in the Long Kloof they were at Bethelsdorp, Algoa Bay, Uitenhage; at these places I was informed that they were at the mouth of the Bushman's River; at the mouth of the Bushman's River they were at Graham's Town; and when I came to Graham's Town they were all in Caffreland, or in some other place where I had no mind to seek after them. In 1832 I again travelled over the colony, when I made diligent inquiry into these charges of vagrancy brought against the Hottentots, and the result of my inquiry was, that I found no more ground for the above charges than I had discovered in support of the charges I had investigated in 1830. In 1834, when the excitement occasioned by the Vagrant Act was at its height, I made a third journey over the colony, in which I was accompanied by John H. Tredgold, esq. During a journey of 1,400 miles, we did not allow a black person or Hottentot to pass us upon the road, who was not driving the waggons of the boors, or accompanying them in the capacity of servants, that we did not stop to interrogate as to his name, place of residence, &c. &c.; and the result was that we did not meet with one individual, man or woman, during the whole of that journey, who was not in the service of the colonists, or belonging to a missionary institution. We have not in Africa any portion of the natives who, in England, would come under the denomination of vagrants. They occasionally travel to visit their friends as other persons in the colony do, but on such journeys they are not burdensome to the colonists; unless it be to purchase from them bread or flesh, for which they pay them in money, or to visit a relation or friend at a boor's place, they seldom go near them; we have no beggars by profession among the coloured population of South Africa. The sickly, the aged, the infirm, the lame and helpless, all find their way to the missionary institutions, where they are supported by their own people. The testimony of Mr. Holbeck, the superintendent of the Moravian Missions, is quite conclusive on this point. Having asked a field-cornet at the commencement of the war, why he came to the missionary institutions for men to be soldiers, and did not have recourse to the vagrants of the country for that purpose, the field-cornet replied, that there was but one person in his whole district, and that an extensive one, not in service or belonging to the missionary institution. The above statement would on inquiry be found to furnish a very fair estimate of the state of vagrancy in other parts of the colony.

*J. P.*

# ANALYSIS OF INDEX.

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II.—LIST of the PRINCIPAL BRITISH and FOREIGN POSSESSIONS relative to which WITNESSES were examined before the COMMITTEE, with the NAMES of the WITNESSES, and the NUMBER of the QUESTIONS of their EVIDENCE.

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Opinion that the Caffres are improperly supplied with muskets and powder by British subjects, as they are expressly prohibited as articles of traffic; muskets taken from Caffres were of English manufacture, 2491–2498——Further evidence relative to the loss sustained by the Caffres during the late war, 2499–2519——Caffre prisoners when employed to carry messages to their chief invariably used deceit; prisoners who fell into their

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*Bergenaars*, Tribe of. Extract from Mr. Melville's official communications relative to the depredations of the Bergenaars on the Bechnana tribes, *Philip* 5327——A great part of them are provided with fire-arms and horses; they are a very desperate set of savages, who, while retreating from a commando, can spare a sufficient number to retaliate on the families and cattle kraals of the farmers absent on the commando, *Philip* 5327, *p.* 611.

*Bethelsdorf* or *Bethelsdorp*. The Hottentots of Bethelsdorf were always ready to obey orders, thereby proving their loyalty to the Government, *Read* 5235——The Hottentots of Bethelsdorf and Theopolis suffered much by the authorities demanding their services for what is called public work, with very little remuneration, *Read* 5235——State of things at Bethelsdorf, as extracted from Mr. Read's letters, *Philip* 5515, *p.* 656——Memorial of the Hottentots residing at the missionary station at Bethelsdorf against the ordinance for the better suppression of vagrancy in the colony, *App. p.* 745–747.

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*Bezuidenhout.* Information communicated by him to Colonel Somerset relative to a combination among the Caffre chiefs to attack the colony was wholly without foundation, *Stockenstrom* 1019.

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*Birnie*, Major. His opinion that if Macomo had been treated properly he might have been made much of, and the war never would have happened, *Read*, jun., 5186.

*Blakeman*, Captain *Richard.* (Analysis of his Evidence.)—Stationed at Willshire Fort, from 1819 to 1822, 1297–1302——Witness received express orders to put all Caffres to death who were found within the British territory, and which orders were enforced by him on the men under his command, 1303–1308——Particulars respecting an attack made on three Caffre kraals, for the purpose of recovering stolen cattle, under the command of Colonel Willshire, 1309–1318——Evidence respecting the enticement of Caffres within the boundary by the patrols to exchange beads, &c. for cattle, and being shot by the military, 1319–1332——No evidence to prove the charge of insanity brought against witness, 1336–1341.

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*Blankets.* Are getting into more general use among the Caffres as an article of clothing instead of bullocks' hides, *Spiller* 852——Purchases of land from natives of New Zealand are paid for with blankets, &c., *Yate* 1611.

*Boors.* The military authority at the Cape competent to restrain the boors from acts of excess and cruelty in most cases, *Aitchison* 89–94——When engaged on a commando were under the authority of the military, and tolerably subordinate, *Aitchison* 89, 90——Formerly incursions were made by them into the northern district of the colony for the purpose of taking cattle belonging to the natives, *Spiller* 811–814——Instances of their following cattle into Caffreland, and bringing away that which they had never lost, *Spiller* 836——Opinion at the Cape that the boors invariably give in a larger number of cattle than is actually lost, *Gisborne* 3463–3466. 3472, 3473——Leave their cattle running wild and unguarded through the colony, *Stockenstrom* 1004.

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*Botman,* Chief. Portion of land within the ceded territory assigned to him, with which he was exceedingly discontented, *Wade* 3497——Statement of the Caffre Chief Botman, dated 1st October 1834, on the subject of the attack made on him for the restitution of colonial cattle, *App. p.* 707.——*See* also *Philip,* Dr.

*Boundaries.* Extent of boundary given to the Caffres on the treaty between Gaika and Lord Charles Somerset made in 1819, *Aitchison* 19–21——Colonial boundary as settled between Lord Charles Somerset and Gaika on the 14th October 1819, as described in the Government Gazette a few days after the conference, *Wade* 2781——Proclamation of the Governor of the Cape pointing out the boundaries of the colony, and the land granted to the Caffres, *Cox* 3600–3606——Manner of fixing boundary line between the British Government and the natives, *Stockenstrom* 523–570——No original boundary between the Caffres and the Hottentots previous to the interference of the British Government, *Stockenstrom* 571, 572——Military order that Caffres found within the colonial boundary were to be shot, *Shaw* 604, *Blakeman* 1303–1308.

A settlement of the colonial boundary would be productive of great advantages to the colonists, *Philipps* 1545, *p.* 177——The future boundary of the colonies should be defined by a written treaty with the Caffres, *Shaw* 664——The extension of the English boundary will be attended with great injury, not only to the Caffres, but to other tribes on their immediate territory, *Dundas* 1233–1244——Very great objection to the original boundary of the Fish River, *Dundas* 1195–1199. 1222——Since 1798 the country between the Sunday River and the Fish River has been fixed as the boundary of the colony, *Philip* 5714——In 1819 the Caffres were compelled to retire from the district of country between the Great Fish River and the Keiskamma, *Philip* 5717——In 1833 they were expelled from the western banks of the Chumie River, and in 1835 from the Chumie and Keiskamma to the Kye River, *Philip* 5719–5722, 5726–5729——The question of the territorial rights of the natives has never been considered in the extension of the colonization in New South Wales, *Coates and others,* 4298–4306.

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*Bourke,* General. Ordinance passed by him emancipated the Hottentots altogether, though that of Lord Caledon prepared the way for it, *Dundas* 1146, *Wade* 2781, *Read,* jun., 5223——Nature and extent of the change made by him with respect to the system of reprisal, *Dundas* 1187, 1188.

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*Bowker,* Mr. *J. M.* Affidavit made by him, stating his belief that Tzatzoe could neither read or write, *Wade* 3558.

*Bowles and Stubbs.* Particulars respecting the case of these Caffre traders, *App. p.* 706–707.

*Bows and Arrows.* Are exchanged by the natives of the Brazils for powder and shot, *Natterer* 4253.

*Boyce,* Rev. *William.* Has arranged and compiled a grammar in the Caffre language, *Shaw* 1112, 1113——Letter from him to Sir Benjamin D'Urban, dated 31st March 1834, on the best means of preserving the peace of the colonial frontier, *Philipps* 1545, *p.* 179——Remarks by him, on the best mode of preserving the peace of the eastern frontier of the colony, *Philipps, p.* 180–182.

*Bradford,* Capt. *Charles.* (Analysis of his Evidence.)—Captain in the East India Company's service on the Madras establishment, 1430–1432——Statement respecting the condition of the Hottentots at the Cape, with the views of the Dutch and English farmers in advocating certain systems which might tend to improve their own condition in the colony, 1434——Great anxiety among the Caffres for the arrival of the government on the frontier; particulars relative to the Caffre nation; their complaints against the British Government, 1434–1441——Nature of the complaints made by the colonists against the government and against the Caffres, and evidence thereon, 1455–1466——Complaints not so frequent against the English as against the Dutch farmers, 1465——Complaints against some of the English traders in Caffreland, 1465——Suggestions for obviating the difficulties in the way of an amicable arrangement between the colonists and the Caffres, 1467.

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*Brazils.* Number of the natives as regards the Brazils has diminished, *Natterer* 4247. 4261–4264. 4268.——*See* also *Arms. Bows and Arrows. Paroquets. Slaves.*

*Bread Fruit.* Cannot be cultivated in the South Sea Islands according to the European system of agriculture, *Williams* 5625.

*Breeding Cattle.* Are the most important presents that can be made to a Caffre, *Gisborne* 3440.

*Brereton,* Lieut.-Col. Particulars respecting the commando sent into Caffreland under his command in 1819, *Aitchison* 15–19——Extracts from instructions given to him respecting commandos with which he might be entrusted, *Wade* 3558——*See* also *Cattle,* 4.

*British Government.* See *Caffres,* 4.

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*British Manufactures.* Very great desire among Caffres to obtain articles of British manufacture, *Spiller* 837, *Shaw* 1063. 1128——Principal articles of British manufacture preferred by the Caffres, and manner they pay for them, *Spiller* 849–853, *Shaw* 1128——Description of those used in Caffraria, *Shaw* 1127——Great demand for them among the people of Congo's tribe, *Beecham* 4402, *p.* 535——Large quantities of British manufactures sent for the use of the people in the Friendly Islands, *Beecham* 4411, *p.* 538——Great quantity imported into Tahiti and Society Islands, *Williams* 5677.

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*British Resident.* The appointment of the British resident at New Zealand has been attended with beneficial effect, *Yate* 1669, *Coates, Beecham & Ellis* 4348——Enlarging the powers of the British resident at New Zealand would be very acceptable to the natives, *Yate* 1736–1744, *Trapp* 3937–3940. 3943, 3944. *Coates, Beecham & Ellis,* 4348——The British resident at New Zealand may be compared, in his present situation, to a man of war without guns, *Trapp* 3937–3940——If residents of the same description as Mr. Busby were placed at the various groups of islands in the South Seas, very great benefit might accrue from the arrangement, *Beecham* 4350——Proclamation made by the British resident in New Zealand, with respect to the pretensions of Baron de Thierry, *Coates* 4366.——*See* also *Agents. Naval Force. Police. Port Natal.*

*British Settlements.* The appointment of an officer in some of the colonies, charged with the protection of the natives, would be very advantageous, *Shaw* 664, *Beecham* 4350. 4364, *Hodgkin* 5346——Measures which appear to witness indispensable towards ensuring justice to the aborigines of the colonies, *Bannister* 1533, *p.* 177, 178——Measures likely

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*Broughton,* Archdeacon. (Analysis of his Evidence.)—Archdeacon of New South Wales, 208–210——Present condition of the aborigines in Sydney one of extreme degradation and ignorance; supposed number; manner employed, 212–217. 232–239——Measures taken to ameliorate their condition have failed, from the impossibility of inducing them to settle in one place, 218–231——Intercourse with Europeans has been productive of great evil to the natives, 240–252——Causes which have led to the decrease in their numbers, 259, 260——Wars very frequent between the different tribes; nature of the weapons used, 262–270——Evidence respecting the character and disposition of the native tribes, 223–225. 275–280——Suggestions for improving their condition, 281–283——Evidence respecting the arrangements in progress to improve the state and condition of the natives, 284–295.

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*Broughton,* Archdeacon. Extract from his charge to the clergy of New South Wales and Sydney, on the condition of the native inhabitants of the country, *Broughton* 228, *p.* 15.

*Brown,* Mr. Was murdered by the Caffres while holding a parley with them at their request, *Cox* 2919, 2920.

*Brownley,* Mr. The ground occupied by him belonged to witness's father and not to Gaika, *Tzatzoe* 4898–4901. 4926–4928.

*Bruce,* Mr. Statements contained in Mr. Bruce's letters on the condition of the Cape very incorrect in a great many instances, *Stockenstrom* 2295–2299, *Cox* 2898, *Wade* 3505——Witness was compelled to write a refutation of a most erroneous statement made by him in the Cape Town paper, *Cox* 2898——Statements made by him were exceedingly strong, and caused considerable excitement among the Caffres and colonists, and were publicly denied by the persons from whom he stated he received them, *Wade* 3505.

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*Bucham,* Capt. *David.* (Analysis of his Evidence.)—Witness employed under the direction of Sir John Duckworth in 1811, in endeavouring to open a communication with the aborigines of Newfoundland, 4191——Number of aborigines in the immediate vicinity of the Great Lake, 4192–4196——Two of witness's men were murdered by the natives during the time he was absent, exploring the source of the River Exploits, 4197–4198——Witness's object was to open a friendly communication with them that might be made beneficial to the European inhabitants of the colony, 4199–4203——Tribe with which witness endeavoured to communicate are entirely exterminated, 4204–4206——Instances of great cruelty towards the natives, having been exercised by Europeans and settlers, some of which have been brought to trial, 4207–4209.

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*Buchner,* Field Cornet. Letter from him to the civil commissioner of Uitenhage, dated 27 June 1834, on the subject of the location of Caffres at Gorah, *App. p.* 737.

*Bullocks' Hides.* See *Blankets.*

*Burning Glasses.* Great cruelties practised by the King of Zoolu with one sent to him by Dr. Smith, *Gardiner* 4019.——*See* also *Smith,* Dr.

*Burn's Hill.* Missionaries were all collected in 1835 at Burn's Hill, their houses, &c. having been destroyed, *Cox* 2843–2856. 2903–2906——Missionaries at Burn's Hill had no means of resisting the attacks of the Caffres, having no arms and living in thatched cottages, *Cox* 2903–2906.

*Burton*, Mr. Justice. His opinion that the laws of the colony would have been sufficient to prevent Hottentot vagrancy, even if no land could have been granted them on their emancipation, *Stockenstrom* 1389, *p.* 151——His opinion that crime had decreased from the time of passing the 50th ordinance, *Philip* 5428.——*See* also *Crime.*

*Busby*, Mr. Powers with which he should be invested, *Yate* 1647–1649, *Trapp* 3937–3940. 3943, 3944, *Coates, Beecham & Ellis* 4348.——*See* also *British Resident.*

*Bushmen.* They principally live upon game and wild herbs, *Stockenstrom* 1553——In the formation of new colonies, tracts of lands should be reserved for them, and some plan of protection adopted, *Stockenstrom* 1553——They are scattered over an immense tract of land without any system of order or government, *Stockenstrom* 1553. 1556—— Instruction should be given them, and also protection afforded to the tracts in which they hunt, *Stockenstrom* 1553——They have no settled residence; they travel with their flocks, and take possession of the springs, *Stockenstrom* 1554——Nature of the compensation to be given them for land purchased of them, *Stockenstrom* 1572——Whether the relations subsisting between the settlers and Bushmen are generally hostile or of a marked character, *Gisborne* 3397-3404——Feelings of Bushmen decidedly hostile to all white people, *Gisborne* 3402——Caffres are as much averse to the Bushmen as the white people; they are in the same state of hostility, *Gisborne* 3402——They speak of the Griquas as their benefactors, and the only people they can look to for protection, *Philip* 5327, *p.* 621.

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*Buttons.* When buttons are fashionable, Caffres attach great value to them, *Tzatzoe* 4589–4591.

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*Caffre Chiefs.* Orders given by those inhabiting the neutral territory to seize cattle taken from colonists, and to bring the depredators before them for punishment, *Shaw* 628-634——Instances in which the chiefs, Congo, Kama and Pato exerted themselves to apprehend persons who had committed acts of aggression against the British settlers, *Shaw* 635-638——They are well acquainted with the military, and that they always meet with immediate justice when their complaints are made direct to them, *Spiller* 818——Great number of the chiefs are under a degree of missionary influence, though not absolute converts to Christianity, *Shaw* 1102–1104——They possess very great power among their own people, *Shaw* 649. 1129——They have not much control over their tribes; their hemraden and the old men control them, *Cox* 3200——By whom they are appointed, *Stockenstrom* 1936–1942.

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*Caffreland.* No person can enter it without the sanction of the military commander, *Aitchison* 99–111——The soil is much finer than many parts of the colony near Cape Town, *Shaw* 720–724, *Philip* 5741, 5742——Small parties and patrols constantly making incursions into Caffreland, *Stockenstrom* 2246–2253——Account of the expedition and mission to the eastward of the colony of the Cape of Good Hope, to meet the Zoolah chief Chaka; with comments on certain observations on that expedition, by Stephen Kay, Wesleyan missionary, in his book, entitled "Travels and Researches in Caffraria," *Wade* 2784., *p.* 295–297.

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*See* also *Boyce*, Rev. *William. Missionaries*, 4.

*CAFFRES:*

1. *Generally.*
2. *Their Character, Habits of Life, and Form of Government.*
3. *Nature of the Complaints made by them.*
4. *Their Feeling towards the British Government.*
5. *Causes of their Predatory Incursions into the Colony.*
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Female Caffres are never molested, *Cox* 2832——It would take considerable time and very enormous expense to drive them out of the fastnesses of their own country, *Cox* 3573——Supposed number of Caffres that may conceal themselves in the posts of Buffalo, *Cox* 3577——Extent of country proposed to be taken from them, *Cox* 3598, 3599——Commissioners have been appointed to locate the Caffres, and to point out their several districts, *Cox* 3605——Consider it a great disgrace to be beaten, *Philip* 4473, *p.* 552, *Read*, jun. 5195–5197——It is quite possible to live in peace with natives of Caffreland, if proper means are adopted for that purpose, *Philip* 4488, 4489——Number of persons subject to witness's authority, *Tzatzoe* 4545——Correspondence between Captain Alexander and witness, relative to his interview with them in 1834, and evidence thereon, *Philip* 5750, 5751.

2. *Their Character, Habits of Life, and form of Government:*

Do not care anything about any agreements they make, *Aitchison* 32——Would not be bound by any treaty made with them, without a force equal to their own be at hand, to enforce the obligation of it, *Philipps* 349–355, *Spiller* 775——They would not consent to give up property without compulsory measures being resorted to, *Stockenstrom* 539–546. 577——Their general character, *Dundas* 1158, *Gisborne* 3361, 3362. 3392, 3393——The nature of the Caffre to be a thief, *Shaw* 650, *Spiller* 774, *Dundas* 1156–1159, *Cox* 3595–3597——The Caffres are most excellent judges of cattle, *Aitchison* 81——Caffres very much attached to their cattle, *Stockenstrom* 528——Very great love of country among them, *Shaw* 1122–1124——Are very much attached to their chiefs, *Stockenstrom* 1403, *Tzatzoe* 4604–4606, *Philip* 4473, *p.* 556.

The Caffres, soon after the evacuation of the town of Fredericksburg by the government that succeeded Sir Rufane Donkin, made constant aggressions upon the colonists, by stealing cattle and committing murders, *Spiller* 878–883——Caffre prisoners when employed to carry messages to their chiefs invariably used deceit, *Beresford* 2520–2528——Prisoners who fall into their hands are invariably murdered by them with great cruelty, *Beresford* 2520–2528——Constantly drove their cattle into the tillage-grounds and gardens of the Hottentots, and occupied the grazing-ground appropriated to the use of the settlement, *Wade* 2781——Witness would not place any reliance on them, *Wade* 3542——Very little variation, if any, in their character during the last 10 years, *Cox* 3597.

Very desirable that the recent treaty made with them should be confirmed by the British Government, *Philip* 5327, *p.* 557——Disputes very frequent between Caffres, arising from depredations by one tribe on the other, *Spiller* 841–848. 854, 855——They are constantly making war among themselves, *Gisborne* 3296——They are very watchful; military found great difficulty in surprising them, *Gisborne* 3304——Those in the neighbourhood of missionary stations not more civilized than those at a distance from them, *Gisborne* 3373–3376——They invariably press close on the colony for the sake

of

*Caffres*—2. *Their Character, Habits of Life, and form of Government*—continued.

of plunder, *Cox* 3585——They always avoid coming into close fight, *Cox* 2982, 2983——They cultivate a little, but never think of irrigating their lands, *Philip* 5426.

They are very sensible of any kindness shown to them, *Shaw* 661, 662——No people have a keener sense of injustice in cases where they themselves are the sufferers, or can be more alive to what they deem national affronts than the Caffres are, *Philip* 4473, *p.* 552——Habits of, capable of improvement, *Gisborne* 3373-3374. 3388——Live in settled habitations, removing only to better pasturage during the rainy season, *Gisborne* 3292, 3389-3391——Very difficult to keep them stationary long enough to become agriculturists, *Gisborne* 3362——They have been from time immemorial a pastoral people, and their cattle have proved a constant cause of irritation and dispute between them and the frontier colonists, *Beecham* 4402, *p.* 535——Tribunals of Caffres conducted with impartiality, *Phillipps* 403, 404——Their civil policy very high; they have various systems of rewards and punishments, *Bannister* 1519-1525——Form of government among the Caffre tribes is in general elective; cases when it is broken through, *Gisborne* 3384-3387.

3. *Nature of the Complaints made by them:*

The expulsion of Macomo from the Kat River caused great dissatisfaction among the Caffres, *Shaw* 644-646. 1123——Caffres complain that the colonists do not take that care of their cattle which they ought, and which leads them to steal, *Stockenstrom* 969-979. 1004——Complaints made against the commando system, *Bradford* 1462——The uncertainty of the colonial policy the principal ground of complaint among the Caffres, *Beresford* 2693-2695. 2703-2706——Their principal cause of complaint is the seizure of cattle belonging to the innocent instead of tracing the guilty parties, *Shaw* 716, 717. 729. 1122-1124, *Spiller* 796, *Stockenstrom* 1005, 1006, *Tzatzoe* 4824-4827, *Read* 5298-5300——They have had just reason of complaint against the British Government, *Read*, jun., 5205.

4. *Their Feeling towards the British Government:*

General desire among the Caffres to live on friendly terms with the colonists, *Shaw* 641, 642. 760, 761. 1122-1124——They are very willing to place themselves under the protection of the British crown, under certain privileges, *Shaw* 760, 761——Very great desire among them to conform to civilized habits, *Shaw* 1063——Opinion that they would become attached to the British Government, under a system of humanity and justice, *Read*, jun., 5191-5194. 5205, 5206——Great anxiety among the Caffres for the arrival of the Government on the frontier in 1834, *Bradford* 1434-1441——They were perfectly contented with their situation after Sir Lowry Cole's visit to the frontier in 1829, up to the period of Dr. Philip's visit in 1830, *Wade* 3503. 3508——They are perfectly satisfied with the present arrangements, *Cox* 3582-3585——Opinion that the provocation given to the Caffres in 1833, when they were driven over the Chumie and Keiskamma, added greatly to the impatience and irritation of the Caffres and their disaffection to the English Government, *Philip* 4473, *p.* 550.

5. *Causes of their Predatory Incursions into the Colony:*

Causes assigned for their incursions into the colony, *Shaw* 616-622——Loss of territory, *Shaw* 644-646. 1122-1124——To find more land to graze their cattle on, *Dundas* 1200——Change in the military system of the colony towards the Caffres the principal cause of their aggressions, *Philipps* 889-896. 909-917.

6. *Suggestions as to the future Policy of the Colonial Government:*

Suggestions as to the future policy to be adopted towards them, *Shaw* 663-665——Measures which appear to witness indispensable towards ensuring justice for the Caffres at the Cape, *Bannister* 1533, *p.* 177——Instruction being given in Christianity, agriculture, and the other arts introduced among the natives by Europeans, would be a recompense for the wrongs inflicted on them, *Tzatzoe* 4856, 4857——Measures taken to reclaim them have been attended with very ill success, *Beresford* 2616-2618.

*See* also *Agriculture. Agricultural Produce. Ammunition. Arms. Breeding Cattle. British Manufactures. Baize. Boundaries. Bushmen. Buttons. Cattle*, 1. *Circumcision. Civil Commissioner. Civilization. Colonists. Cultivation. Goats. Horses. Hospitality. Hottentots*, 1, 5. *Illicit Trade. Incantations. Kat River*, 1. 3. *Macomo Chief. Missionaries*, 1. 2. 4. *Missionary Stations. Murders. Native Tribes*, II. 1. *Neutral Territory. Philip*, Dr. *Ploughs. Read*, Mr. *Religious Instruction. Reprisals. Shaw*, Mr. *Sheep. Somerset*, Colonel. *Spades. Spirits. Superstition. Thieves. Trade and Commerce. Treaties. War. Wesleyville. Williams*, Rev. Mr.

*CAFFRE WAR:*

1. *Generally.*
2. *Causes which led to it.*
3. *Whether it was the effect of Combination among the Chiefs.*
4. *Extent of Loss sustained.*

1. *Generally:*

Opinion that the Caffres were goaded into a war from the treatment they received from the colonists, *Bradford* 1489-1493——The Caffres were not justified in making the late

*Caffre War*—1. *Generally*—continued.

late attack on the colonists, *Beresford* 2651–2687——Had remained in a state of tranquillity for some considerable time previous to the late irruption, *Cox* 2813——Caffres commenced the war against the colonists in 1835, *Cox* 2866——The English attacked the Caffres first by sending their patrols into Caffreland, *Philip* 4473, *p.* 557, *Tzatzoe* 4636, 4637——Caffres who had been resident within the colony withdrew some days previous to the irruption and joined the invading force, *Cox* 2971–2975.

The Caffres did not attack the Kat River settlement on their first rush into the colony, though they did six weeks after, *Wade* 3547, *Read* 5130——Witness, nor his people, took any part during the late invasion of the colony by Caffres, and reason they did not, *Tzatzoe* 4547–4551——Witness assisted the colonial government against the Caffres during the late invasion in self-defence, *Tzatzoe* 4556–4572——Number of men furnished the colonial government during the war by witness, and remuneration they received, *Tzatzoe* 4573–4581, 4874–4897——Witness got no pay while with the army; the governor made a present of some cattle, *Tzatzoe* 4580, *Stoffel* 5005, 5006. 5009–5010.

Witness gave great offence to the Caffre chiefs, because he would not engage in the attack on the colony, *Tzatzoe* 4556–4572——Circumstances under which witness was in possession of a Caffre child at the commencement of the war, *Read* 5287–5291——Letter from Messrs. Shrewsbury, Young and Haddy, to the secretaries of the Wesleyan Missionary Society, dated 31 January 1835, on the subject of the late attack of the Caffres on the colonists, *Philipps* 1545, *p.* 182, 183——Whether the Wesleyan Missionary Society approve of the letter sent by Mr. Shrewsbury to the governor of the colony, approving of his proceedings with reference to the Caffre war, *Coates and others*, 4315–4319.

2. *Causes which led to it:*

Causes to which the late irruption of the Caffres may be attributed, *Shaw* 650, 651, *Spiller* 788–790, *Dundas* 1200, *Stockenstrom* 1380, *Beresford* 2403–2471. 2642–2648, *Cox* 2924–2926, *Philip* 4473, *p.* 554, *Tzatzoe* 4598–4602. 4657, *Read*, jun. 5113–5118, *Read* 5301–5305, *Young* 5524——The increasing love for plunder one of the causes which led to the recent irruption of the Caffres, *Shaw* 650——The late irruption of the Caffres caused by the expulsion of Macomo and Charlie from Mankatana, *Spiller* 788–790——The expulsion of Macomo from the Kat River in 1829 inflicted greater injuries upon the Caffres than any subsequent events, *Philip* 4473, *p.* 557——Extract of a letter from Capt. Alexander to witness, dated 20 January 1835, stating the causes which led to the late irruption of the Caffres to be a continuance of the old commando system, *Stockenstrom* 1380.

Memorandum respecting the circumstances which gave rise to the late war between the Caffres and colonists, and examination thereon, *Beresford* 2642–2648——Defenceless state of the frontier the cause, in a great measure, of the late irruption, and number of troops that would have prevented it, *Cox* 2924–2926——The continuance of the commando system one of the causes of the late Caffre war, *Philip* 4473, *p.* 554——Opinion that the shooting of Xo Xo, the son of Gaika, was the cause of the war, *Tzatzoe* 4598–4602. 4657——The commencement of the late war was more of a retaliatory description for the purpose of seizing cattle, than the destruction of the colonists, *Read* 5301–5305——Statement of a conversation between witness and Congo, a chief of the Gonagebie tribe of Caffres, respecting the late war, and causes which led to it, *Young* 5524.

3. *Whether it was the effect of Combination among the Chiefs:*

Other chiefs would never have made any attack against the colony without the co-operation and consent of Hintza, *Beresford* 2641——They received great encouragement from some of the colonists, or they would not have commenced the late war, *Cox* 2883–2899. 2927-2937. 3234–3239——The Caffres were greatly induced to make the war by the dependence they placed upon the Hottentots joining them, *Wade* 3528. 3546–3557——Opinion that they never expected any assistance from the Hottentots at the Kat River during their late invasion of the colony, *Read* 5278–5280——There was no meeting of the chiefs to decide upon the invasion, or witness must have heard of it, he having a voice in those matters, *Tzatzoe* 4552–4554. 4616. 4632.

Reason that Hintza did not call a meeting of the chiefs to arrange the attack on the colony was, that the Caffres had attacked the colony previous to his being aware of the fact, *Tzatzoe* 4634, 4635——Information was forwarded to all the chiefs of the intended attack on the colonists, *Young* 5524——The missionaries were not made acquainted with the intended attack on the colony till the eve of its taking place, *Shaw* 656, 657, *Philip* 4473——No reason to suppose that the Caffres were preparing to attack the colony, *Read*, jun. 5116, 5117, *Read* 5235——Opinion among the missionaries of Caffreland that the late invasion of the Caffres into the colony was not the effect of a long and deeply concerted combination among the chiefs, *Philip* 4473, *p.* 556.

4. *Extent of Loss sustained:*

Extent of lost sustained; nature of the devastation that had been made by the Caffres, *Beresford* 2403–2471. 2499–2519——Great numbers of Caffres killed in January 1835, *Cox* 2866–2882——Number of colonists and Hottentots that were murdered by the Caffres during the war, *Cox* 2916–2923——Number killed and wounded on both sides during the late war, *Cox* 2976–2981. 3249–3253——Some few were killed by the Hottentots at the

*Caffre War*—4. *Extent of Loss sustained*—continued.

the commencement of the war, *Read*, jun. 5133——No regular action took place between the invading troops and the Caffres, *Beresford* 2748–2750——During the first part of the war they never made any direct attack upon any body or parties of men who were armed, *Read*, jun. 5135——Letter from the Rev. J. Ross to Dr. Philip, dated 31 January 1836, on the cause of the late Caffre war, *App. p.* 718.

*See* also *Alexander*, Captain. *Hintza*, Chief. *Macomo*, Chief. *Philipstown*. *Ross*, Rev. Mr.

*Caledon*, District of. There are several Caffre families in the district of Caledon; its distance from Cape Town, *Hallbeck* 3019–3021.

*See* also *Cutlers*. *Population*. *Servants*. *Shoemakers*.

*Caledon*, Lord. Ordinance passed by him, while governor of the Cape, very materially altered the condition of the Hottentots, *Dundas* 1146, 1147——Received instruction in 1810 from the Home Government to investigate the grievances of the Hottentots; and result thereof, *Read* 5235.

*Calves*. In seizing cattle from the natives, the calves are always left untouched, *Gisborne* 3311.

*Campbell*, Capt. Extract from a letter from him to witness, dated 8th January 1836, containing depositions contradicting the report that the field-cornet Erasmus had fired upon the chief Zeko without cause, *Wade* 2785.

*Canada*, Upper and Lower. Suggestions which witness thinks ought to be adopted with respect to ensuring justice to the aborigines of the Canadas, *Bannister* 1553, p. 177—— No diminution of the population among the Christian Indians of Upper Canada since the introduction of Christianity among them, *Coates, Beecham & Ellis*, 4398–4400.

*See* also *Game*. *Native Tribes*, III. 1. *Population*. *Small Pox*. *Spirits*.

*Canoes*. Reasons which led to the destruction of the canoes belonging to the New Zealanders, *Lambert* 3808–3821.

*Canteens*. Hottentots at the Kat River have petitioned the colonial government to prohibit the establishment of canteens at that settlement, *Stockenstrom* 1387, *p.* 153, *Ev.* 1391, *Read* 5235——The non-allowance of canteens at the Kat River settlement originated in a petition from the Hottentots themselves, *Bradford* 1500, 1501.

*See* also *Temperance Societies*.

*Cape Mounted Riflemen*. See *Rifle Corps*.

*Cape of Good Hope*. No distinction established at the colony between the white and coloured people, *Philipps* 428, 429. 433, 434——Advantages that would be derived from a well organized system of municipal government at the Cape, *Philipps* 950–958——By the new charter, a legislative council has been granted to the Cape, but the great expense of the journey prevents any one from the eastern province attending it, *Philipps* 955 ——It is one of the most expensive governments in all the colonies of Great Britain, *Dundas* 1171——Revenues of the Cape are not very great, but the expense of keeping the country will be enormous, *Dundas* 1235——Military coercion, though carried to a great extent, has not had the effect of establishing peace on the frontier, *Stockenstrom* 1041–1044——Letter from W. B. Boyce to Sir Benjamin D'Urban, governor of the Cape colony, containing remarks on the best means of preserving the peace of the colonial frontier bordering on Caffraria, *Philipps* 1545, *p.* 179–183——Proposed regulations for affording protection to the natives and settlers of the Cape of Good Hope, *Stockenstrom* 1552–1555.

Extent of the eastern frontier previous to the late hostilities, *Stockenstrom* 2275, 2276 ——Whether the substitution of armed inhabitants, and withdrawing the military, would be attended with beneficial results, *Stockenstrom* 2279, 2280——The only means of maintaining the tranquillity of the colony is by a proper administration of justice, cultivation of trade, commerce and civilization, *Stockenstrom* 2291–2294——Amicable arrangements being entered into between the Caffres and colonists decidedly preferable to supporting a military force sufficient to protect the colonists against the depredations of their enemies, *Stockenstrom* 2393–2397——Opinion that the settlement of the colonists on the frontier would be attended with very serious injury to the natives, *Gisborne* 3338, 3339 ——Extract of a dispatch from Viscount Goderich to the officer administering the government of the Cape, dated 14 June 1827, *Stockenstrom*, *p.* 207——Recommendations of general principles applying to the frontiers of the colony, *Philip* 5327, *p.* 608–613. 626–631——Draft ordinance, proposed by the governor of the Cape to the legislative council thereof, for the better suppression of vagrancy in this colony, *App. p.* 723.

*See* also *Hottentots*, 3. *Native Tribes*, IV. *Population*. *Sheep*. *Slaves*. *Spirits*. *Springs*. *Taxes*. *Vagrant Act*.

*Cape Town*. Two regiments of infantry kept there, where no active service is required, *Philipps* 352.

*Cape Town Newspaper*. General tenor of the writings of the editor of the Cape Town paper, tended to encourage Caffres in their attack on the colony, *Cox* 2898——The letters which appeared in the Cape newspaper were composed by witness, without any

*Cape Town Newspaper*—continued.
assistance from Mr. Brownley, the missionary; they were translated into the English language by Mr. Read, jun., *Tzatzoe* 4727–4741——Letter from Dr. Philip to the editor of this paper, dated 14 May 1834, on the subject of the ordinance proposed for the suppression of vagrancy in the colony, *App. p.* 724–726.
*See* also *Bruce*, Mr. *Vagrant Act.*

*Captains of Vessels.* Evidence respecting the Captain of a vessel securing certain natives of the East Cape, and turning them ashore at the Bay of Islands as slaves; manner in which they were released, and by whom, *Yate*, 1718–1728——Should be obliged to receive and take away any seamen that may have absconded from their ships, and taken up their residence on shore without the consent of the chiefs of the place, *Beecham* 4365——They are anxious to detain their good seamen on board, but rather facilitate a bad one going on shore, *Williams* 5581.——*See* also *Penalties.*

*Carpenters.* Hottentots and Caffres are instructed in the trade of a carpenter at the missionary stations, *Shaw* 673, *Beecham* 4402——Witness learned the trade of a carpenter during his residence at the Cape of Good Hope, *Tzatzoe* 4794–4801, *Stoffel* 4963.

*Cattle.*

1. *Generally.*
2. *Difference in the Value of Colonial and Caffre Cattle.*
3. *Increased Quantity belonging to Caffres.*
4. *Quantity taken from Caffres at different Periods.*

1. *Generally:*

Quantity of cattle possessed by Hottentots located at the Kat River settlement in 1833, *Wade* 2781——Having once obtained the trace of cattle, unless there has been a heavy rain, you cannot help following it, *Aitchison* 70——Stolen cattle could not pass through Caffreland without the knowledge of the Caffres, as they are the most observant persons in the world, *Aitchison* 71——In rainy weather it is very difficult to keep them together, *Aitchison* 87——Not more cattle taken from the Caffres than that stolen from the colonists, *Aitchison* 74, 75, *Dundas* 1165–1168——Custom of returning merely head for head acts as a premium on robbery, *Aitchison* 80, 81——Several instances of complaints being made for cattle stolen, when no robbery had taken place, *Aitchison* 86–88——Opinion that one-tenth of the cattle that are lost would not be lost if the people in the colony were cautious, *Stockenstrom* 972–976.

Frequent instances of cattle being lost, which it was supposed the Caffres had taken, but which were afterwards found, *Stoffel* 4982, 4983——No instance latterly of cattle being taken from Caffres, on the plea that stolen cattle had been traced into his possession, *Spiller* 834, 835——Instructions given to witness to seize certain cattle which had been taken by Caffres from the colonists, *Aitchison* 435–450——Numerous instances of cattle belonging to the colonists being left in an unprotected state, *Stockenstrom* 969–976——Witness attributes all the misfortunes of the frontier to Caffre cattle being taken as a compensation for what had been, or said to be, stolen from the colonists, *Stockenstrom* 983——No doubt that taking cattle from Caffres, subsequently to 1829, was in violation of the understanding subsisting between the government and the Caffre chiefs, *Stockenstrom* 1026–1032——Persons engaged in the seizure of cattle under the command of Erasmus were nearly, if not all, Dutchmen, *Stockenstrom* 1087–1089.

Alterations made in the colonial policy with respect to the pursuit of stolen cattle by patrol, *Wade* 2770——Particulars respecting the expedition under witness's command against the kraals of Eno and Charlie to recover stolen cattle; number killed on that occasion, *Cox* 2819–2831——Caffres who had resided within the colony as servants were the principal means of getting at the cattle, *Cox* 2984, 2985——Not sufficient precaution taken to ascertain the correctness or incorrectness of information as to stolen cattle preparatory to sending out the military, *Gisborne* 3298–3304——Taking away the cattle of the Caffres has tended to decrease their numbers, *Hodgkin* 3905——Number of cattle appropriated to witness for his services during the war, *Tzatzoe* 4921–4925——Of the Caffres was always placed as near the colonial boundary as possible, *Young* 5524.

2. *Difference in the Value of Colonial and Caffre Cattle:*

Caffre cattle not worth one-half the value of colonial cattle, *Aitchison* 80, 81——Orders given by witness that in all seizures of cattle none should be taken but what could be sworn to as colonial property, *Stockenstrom* 984–986——Colonial cattle extremely valuable to the Caffres, *Dundas* 1165——The English settler is as much dependent on his cattle as the Caffre, *Dundas* 1169——No difficulty in distinguishing Caffre cattle from that of the colonists, *Beresford* 2514–2516.

3. *Increased Quantity belonging to Caffres:*

Very great increase of cattle possessed by the Amagonakwaybie tribe, *Shaw* 1126——The frequent inroads of the Caffres has prevented the increase of cattle on the eastern frontier of the Cape, *Dundas* 1169——Caffres possess large herds of cattle between Keiskamma and Kei, *Dundas* 1223–1225——Of the Caffres has increased greatly within the last ten years, *Young* 5524.

4. *Quantity*

*Cattle*—continued.

4. *Quantity taken from Caffres at different periods:*

Quantity of cattle seized from the Caffres in 1819, under the commando issued to Col. Brereton, *Aitchison* 15——Number of cattle seized by witness in 1830, and how disposed of, *Aitchison* 435-450——More cattle have been re-captured at Guatana than at any other of the military posts on the frontier, *Philipps* 896——Greater part of the cattle taken from the Caffres during the various skirmishes was the property of the colonists, it being marked with their names, *Beresford* 2472-2481——Thirty thousand head of cattle taken from the colony on one incursion of the Caffres, *Dundas* 1215-1219——Number of head of cattle taken by Macomo from the Tambookies, *Dundas* 1173.

Cattle taken from Macomo was distributed among the Tambookies, from whom they had been stolen, *Gisborne* 3005-3010——Witness seized 50 head of cattle belonging to the chief Gaika, which were afterwards restored to him, *Blakeman* 1350, 1351——Quantity taken from the Caffres in 1835, much less than that stolen from the colonists, *Beresford* 2512——Several head of cattle captured by Colonel Smith during the late war, *Beresford* 2601-2613——Quantity of cattle taken from the Caffres during the late war, *Cox* 3183-3184——Great quantity taken from the colonists at the commencement of the late war, *Cox* 2874——That stolen from the Kat River principally traced to Chusa's Caffres, *Stoffel* 4985-4987——Very little colonial cattle taken from the Caffres during the war, it having been sent to Hintza's country, *Cox* 3254, 3255.

*See* also *Boors. Caffres*, 1. *Caffre War*, 1. *Colonists. Kat River*, 1. *Neutral Territory. Reprisals. Sheep. Somerset*, Colonel.

*Ceded Territory.* See *Neutral Territory.*

*Chain Island.* Population of Chain Island, *Williams* 5603.

*Chairs.* But few English residents at Port Natal that are possessed of chairs, *Gardiner* 4020——In different islands of the South Seas the natives have very good chairs and sofas, of their own manufacture, *Williams* 5657.

*Chaka*, Chief. Account of the expedition and mission, to the eastward of the colony of the Cape of Good Hope, to meet the Zoolah Chief, Chaka; with comments on certain observations on that expedition by Stephen Kay, Wesleyan missionary, *Wade* 2784, *p.* 295-297——Number of women killed by him, and cause which led to their assassination, *Gisborne* 3365, 3366.

*Chaka*, King of Zoolu. Was murdered in the presence of Dingarn (his brother), who succeeded him, *Gardiner* 4010.

*Chalmers*, Rev. Mr. Publicly denied having given any information on the grievances of the Caffres to Mr. Bruce, *Wade* 3505——Letter from him to the editor of the Commercial Advertiser, denying that he had ever furnished Mr Bruce with the statements attributed by that gentleman to him, *Wade* 3558, *p.* 416, 417.

*Chalmers and Weir*, Messrs. Cause of their being compelled to leave the missionary station at Chumie, *Read*, jun. 5140.

*Charlie*, Chief. The Caffres under this chief, occupying the Chumie basin in 1830, sent away their families and their cattle to a distance, but they themselves remained scattered over the country in large armed parties, *Wade* 3496.

*See* also *Caffre War*, 2. *Cattle*, 1. *Colonial Government.*

*Charms.* The natives of New Sydney attach great importance to a charm which they possess, *Broughton* 237.

*Chase*, Captain. Extract of a letter from him, stating the kindness he received from the Tahitians when shipwrecked off Rumlu, *Beecham* 4418, *p.* 543.

*Cherokee Indians.* Extracts from reports of the success attending the mission among the Cherokee Indians, *Coates, Beecham & Ellis* 4402, *p.* 533.

*Chiefs.* See *Caffre Chiefs. Chippewa Chief. New Zealand*, 4. Also the different Chiefs, under their respective names.

*Chiefs*, Sons of. Great advantage would be derived from superintending the instruction of the sons of chiefs and other influential persons, *Hodgkin* 5350——They might be rendered able promoters of civilization if they were properly educated, *Hodgkin* 5350——There are many sons of chiefs, who have only picked up their education in slave vessels, who read and write English remarkably well, *Hodgkin* 5350.

*See* also *Education.*

*Children.* Sending them to the colony would be of very great advantage both to the colonists and the children, *Shaw* 743-745——Caffre children very intelligent, and exceedingly apt at learning, *Shaw* 695, 696——Capacity of Hottentot children for receiving instruction much the same as of children in other parts of the world, *Hallbeck* 3010, 3011——Those at the Kat River settlement are inferior to no other class in acquiring any kind of knowledge placed within their reach, *Read*, jun. 5100——Number of children receiving education in the mission schools in the Friendly Islands, *Beecham* 4411, *p.* 538——In the South Sea Islands, *Beecham* 4418——In schools belonging to the Moravian Missionary Institution in South Africa, *Hallbeck* 3009.

*Children's Friend Society.* Number of children sent by the society to the colony should be increased, *Shaw* 743–745.

*Chippewa Chief.* Extract of a letter addressed to the Rev. John Beecham by the Chippewa chief Kahkewaquonaby, otherwise Peter Jones, dated 16 February 1836, showing that wherever Christianity had been introduced civilization had immediately followed, *Coates, Beecham & Ellis* 4397, *p.* 529, 530.

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*Colonial Government.*

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1. *Generally:*

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*Combination.* There was no plan among the Caffre chiefs to attack the colonists till after the patrols of Ensign Sparkes and Lieutenant Sutton in December 1834, *Philip* 4473, *p.* 558——There was no meeting of the Caffre chiefs to decide upon the invasion of the colony, *Tzatzoe* 4552–4554, 4616–4632.——*See* also *Caffre War*, 3.

*Commandant of the Frontier.* All communications with the Caffres are conducted by him and the commissioner-general, *Philipps* 917——Has not the power of acting without consulting the civil commissioner, *Philipps* 324, 325——He must apply to the Governor on all matters of consequence, *Spiller* 777–779.

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*Commercial Agents.* The appointment of commercial agents would tend more to the amicable settlement of the Caffres that any measure that could be proposed, *Gardiner* 4124.

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*Complaints.* They are not so frequent against the English as against the Dutch farmers, *Bradford* 1465.——*See* also *Caffres*, 3. *Colonists. Hottentots*, 1.

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*Congreve Rockets.* The importation of Congreve rockets among the natives would have a very injurious tendency, *Yate* 1707–1709.

*Contracts.* Have been entered into by the colonial government with Hottentots at the Kat River settlement for the supply of stores, *Spiller* 860; *Stockenstrom* 1387; *Philip* 5431——Made with Hottentots at the Kat River have been executed with fidelity, *Philip* 5432.——*See* also *Kat River.*

*Convicts.* The removal of runaway seamen and convicts would be a great benefit to New Zealand, *Yate* 1654-1657——Number of runaway convicts and seamen in New Zealand, *Yate* 1671, 1672——The introduction of a convict population amongst the natives will always be attended with very serious consequences, but more especially in their present uncivilized state, *Yate* 1836——Particulars respecting the escape of certain convicts from New South Wales; their arrival at Raiatea and Huahine, and robberies and murders committed by them, *Williams* 5582.

*Cook,* Captain. His estimate of the population of the South Sea Islands by far too great, *Williams* 5612——His remarks, observations and representations are exceedingly correct as regards the South Sea Islands, *Williams* 5612.

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*Copper Indians.* They have decreased to one half their number within the last five years, owing to their connection with Europeans, *King* 5403-5406.——*See* also *Furs.*

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*Corn.* Caffres are exceedingly improvident of their corn, *Dundas* 1168——The corn belonging to the natives during the late hostilities gathered for the use of the military, *Beresford* 2453——That which would not be consumed by the military was destroyed to prevent the natives from returning to gather it, *Beresford* 2454——Large stores of corn in every direction destroyed during the late war, *Beresford* 2601-2613——Has been cultivated for ages by the Caffres, *Beresford* 2615——Considerable quantity of Caffre corn cultivated in the country taken from Macomo, *Gisborne* 3286——The quantity of seed corn furnished to the Hottentots at Kat River on their first settlement there, was very trifling, *Stockenstrom* 1387. 1395; *Read* 5235; *Philip* 5425——Nothing of the corn kind will grow in any of the South Sea Islands, the climate is too hot, *Williams* 5637.
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*Corrosive Sublimate.* Has been imported into New Zealand by English captains, and its use explained to the natives, *Yate* 1697-1705.

*Councils.* Are held among the Caffre tribes, and of whom composed, *Gisborne* 3386.

*Cox,* Lieutenant Col. *William.* (Analysis of his Evidence.)—Offices held by witness in the colony of the Cape of Good Hope, 2811, 2812——Caffres had been in a state of tranquillity till the late irruption; frequent applications for patrols to recapture cattle taken by them, 2813-2818——Particulars respecting the expedition under witness's command against the kraals of Eno and Charlie; no Caffres taken prisoners; it is impossible to do that, they are so cunning; number killed on that occasion, 2819-2831——Female Caffres are never molested, 2832——Very probable that women might be fired upon, as the men disguise themselves in their dresses, 2833-2835——No attempt made by Caffres to cut off the escort sent to bring the missionaries and traders from Caffreland in 1835, though they made a display of their intention; number of troops under witness's command, 2836-2842——Missionaries were all collected at Burn's Hill, their houses, &c. having been destroyed, 2843-2856.
None of the missionaries had been murdered, though some of the traders had, 2857-2865——Caffres made war against the colonists in 1835; great number of Caffre huts destroyed during the month of January, and numbers of them killed, 2866-2882——

*Cox*, Lieutenant Col. *William*. (Analysis of his Evidence)—*continued*.

Caffres were encouraged by some of the colonists to commence the late war, 2883–2899——Traders in Caffreland were murdered previous to the arrival of the troops there, 2900–2902——Missionaries at Bush Hill had no means of resisting the attacks of the Caffres, having no arms, and living in thatched cottages, 2903–2906——Number of colonists and Hottentots that were murdered by the Caffres during the war, 2916–2923——Defenceless state of the frontier the cause in a great measure of the irruption, and number of troops that would have prevented it, 2924–2926——Further evidence respecting the encouragement given to the Caffres to commence war with the colony, 2927–2937——Traders that were murdered were living in Caffreland under the protection of the chiefs, and had given on offence, while the Caffres had attacked the colony, and murdered every person they got hold of, 2938–2953, 2956–2967.

Caffres who had been resident within the colony withdrew some days previous to the irruption and joined the invading force, 2971–2975——Further evidence as to the number killed and wounded on both sides during the war, 2976–2981——Caffres always avoid coming into close fight, 2982, 2983——Nature of the communication made by witness to the Chiefs Macomo and Charlie, on behalf of the colonial government, for the purpose of putting an end to the war, and reason it was not acceded to, 2987–3003——Opinion that the chiefs would have complied with the governor's instructions, but for a message received by them from Hintza that he was detained as a prisoner, 2995–3000——The object Hintza had in view in coming to the British camp was to delay the governor's advance, and to get the cattle in a place of greater security, 3001.

[Second Examination.]—Period when the troops entered Caffreland for the purpose of clearing the country and seizing the colonial cattle, 3177–3185——Quantity of cattle taken from the Caffres, 3183, 3184——Instructions given witness for the purpose of effecting a satisfactory arrangement with Macomo, 3194–3196——Opinion that the Chiefs Macomo and Charlie would have availed themselves of the offers of the governor to put an end to the war, had not the fact of Hintza being a prisoner operated on their hemraden, 3197–3200——General character of Macomo, that of an enterprising young man, 3201, 3202——Further evidence respecting the objects in view when entering Caffreland, 3203–3212.

Opinion that Hintza would not have allowed so large a body to remain in his territory, though there was a great deal of unoccupied country, 3207–3210——Particulars respecting the attack made on Lieutenant Bailey, 3213–3216——Caffres would not accept the terms offered them, neither would they obey the orders sent them by the Chief Hintza, which caused hostilities to be recommenced, 3217–3222——The territories of the Caffres being defined, the chiefs have expressed their entire satisfaction at the arrangement, 3223–3234——Opinion that the Caffres were instigated to the war from persons resident in the colony, 3234–3239——Great quantity of arms brought from England for sale, which were purchased by the Caffres, 3240–3244——Number of Caffres and British troops killed during the war, 3249–3253——Very little colonial cattle taken from the Caffres during the war, it having been sent to Hintza's country, 3254–3255.

Opinion that the system adopted by Sir B. D'Urban is calculated to produce perfect harmony in the colony, and protection to the frontier, 3257–3262——Caffres are very correct if properly treated, 3263, 3264——Formerly there were continual changes of policy as to the treatment of the Caffres, which only served to embolden them in plundering the colonists, 3270, 3271——Permanent peace can only be established by a judicious mixture of severity and emulation, 3272.

[Third Examination.]—No assignment of the new territory had been made when witness left the colony in February, 3559-3561——Applications had been made sufficient to absorb the whole territory as far as the Buffalo River, 3562–3565——Caffres are not to be allowed to occupy any land on the right bank of the Buffalo, 3566——Extent of land granted to the Caffres under the last treaty, 3567–3572——It would require a very strong military force to prevent an incursion of the Caffres into the colony, in consequence of the fastnesses and ravines with which the country abounds, 3574–3581——Number of Caffres that may conceal themselves in the ports of Buffalo, 3577——Caffres are perfectly satisfied with the present arrangements, 3582–3585——Caffres always press closely on the colony for the sake of plunder, 3585.

Number of military posts that are to be established to prevent the incursions of the Caffres; number of troops necessary to be employed, and extent of country over which they are to be employed, 3586–3594——Nature of the Caffre to be a thief, 3595–3597——Extent of country proposed to be taken from the Caffres, 3598, 3599——Proclamation of the Governor of the Cape, pointing out the boundaries of the colony and the land granted to the Caffres, 3600–3606——Commissioners have been appointed to locate the Caffres, and to point out their several districts, 3605——Great numbers of farmers and boors are migrating northward of the colony since the proclamation of the governor, and cause of their emigration, 3610–3622.

[Fourth Examination.]—Witness has never had any correspondence with any official person as to the treatment of the Caffres, 4522, 4523——Witness's letter-book merely contains copies of official communication with the governor and the commandant, and the military authorities, but nothing relative to the treatment of the Caffres, 4524–4530——Opinion that Macomo has more intelligence than the other Caffre chiefs, and has

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*Cox*, Lieutenant Col. *William.* (Analysis of his Evidence)—*continued.*

more reason to complain, he having been removed two or three times from his territory, 4532-4538——Macomo is not capable of writing such a letter as that read by Dr. Philip, though he might put words together in a manner somewhat similar, 4539-4541.

*Credit River.* The oldest missionary station among the Chippeway Indians; account of its present condition, *Coates, Beecham & Ellis* 4397, *p.* 529.

*Cree Indians.* They were very numerous in 1801, but have decreased considerably since, from their contact with Europeans, *King* 5370-5378——Their means of subsistence have been diminished from the mode of conducting the British trade, *King* 5380-5387.
*See* also *Sarsaparilla. Spirits. Starvation. Trade.*

*Crime.* Great increase of crime after the emancipation of the Hottentots, *Wade* 2781——Less crime in the colony since the passing of the 50th ordinance for the emancipation of the Hottentots, *Bradford* 1514, *p.* 174; *Hallbeck* 3152-3156; *Philip* 5427-5430——British subjects residing at Port Natal should be brought under the jurisdiction of the Governor of the Cape of Good Hope with regard to criminal acts committed by them, *Coates* 4348——Recommendation that a number of suitable persons should be appointed to the principal islands of the South Sea, with sufficient powers to bring to justice all British subjects who may commit aggressions against the natives, *Beecham* 4350.
*See* also *Burton*, Mr. Justice. *Kat River Settlement*, 1. *Kickwick*, Mr. Justice. *Petty Offences.*

*Cultivation.* Caffres are degraded in their own estimation by cultivating the ground, *Dundas* 1158——Very little carried on by Caffres, except their gardens, which are cultivated by the women, *Dundas* 1158, *Hallbeck* 3077, *Philip* 5426——It is carried on very extensively on the Chumie, and in the vallies of the Keiskamma, *Spiller* 838-840——In the South Sea Islands, *Coates, Beecham & Ellis* 4416, *p.* 541——In some parts of the country, between the Kye River and Port Natal, there is sufficient dampness to induce cultivation, *Gisborne* 3368——The climate of Caffreland is decidedly against it, *Gisborne* 3362.——*See* also *Caffres*, 2. *Kat River Settlement. Land.*

*Cutlers.* Great numbers of Hottentots occupied in making knives in the district of Calledon, *Hallbeck* 3022——Have been established since 1795 in Graadendahl, *Hallbeck* 3172.

*Cuyler*, Colonel. Notes delivered by witness to Sir Rufane Donkin, specifying charge made by Mr. Read against Colonel Cuyler, were strictly confidential, *Philip* 5468, 5469——Letter from witness to Sir R. Donkin, dated 8 September 1821, on the same subject, *Philip* 5469, *p.* 649-651——Letter from Sir R. Donkin to witness, dated 10 September 1821, in answer thereto, *Philip* 5470, *p.* 651——Letter from witness to Sir R. Donkin, enclosing statement of charges made by Mr. Read against Colonel Cuyler, and examination thereon, *Philip* 5476, *p.* 623-653; *Ev.* 5477-5494——Witness adopted the complaints of Mr. Read against him, as the complaints of Mr. Read, and not as of the London Missionary Society, *Philip* 5507-5514——Charges against him were proved to be true from his own handwriting, *Philip* 5474——Extract from the Report of the Crown Commissioners appointed to inquire into the affairs of the colony respecting the charges brought against him, *Philip* 5515, *p.* 657, 658.
*See* also *Dunn*, Mr. *Inquiry*, Commissioners of.

D.

*D'Urban*, Sir *Benjamin.* Number of men under his command, and particulars relative to the battle with the Caffres, and loss of life on both sides, *Beresford* 2403-2471——Instructions given by him to Major Cox as the basis of the terms to hold forth to the Caffre tribes suing for peace, *Cox* 3196——Opinion that the system adopted by him is calculated to produce perfect harmony in the colony, and protection to the frontier, *Cox* 3257-3262.——*See* also *Colonial Government.*

*Davis*, Mr. *Richard.* Extract of a letter from him, relative to the war between two native tribes of New Zealand, incited by the master of an English vessel lying in the Bay of Islands, *Coates* 4277——Extract from his journal, of 21 November 1832, 7 January 1833, and 25 March 1833, on the progress of industry in New Zealand, *Coates, Beecham & Ellis, p.* 522, 523.

*Deer Hunting.* The principal means of subsistence of the aboriginal tribes of Newfoundland was deer hunting, *Beecham* 4227.

*Delgoa Bay.* Is frequented by the whalers of the Americans, *Gardiner* 4134.

*Depositions.* Those relating to any case of outrage committed on the aborigines of the Cape have been taken by the civil commissioner in open court, *Wade* 3493——Those produced by witness were taken on oath before the magistrate of the Albany District, *Wade* 3544, 3545——Those taken in the case of Erasmus were taken in the Dutch language, and afterwards translated, *Rutherford* 4173, 4174.
*See* also *Erasmus*, Field-cornet.

*Depredations.* Of the Caffres were always suspended during the summer months, from the lightness of the night, and the more plentiful supply of provisions, *Wade* 2778.
*See* also *Bergenaars. Caffres*, 2.

*Deputy Governor.* Advantageous to the public service if a deputy governor was appointed at the Cape, who should be allowed to act in cases of emergency, without waiting instructions from the governor, whose residence is at so great a distance from the frontier, *Spiller* 783–786. 815–818.

*Deserted Country.* The occupation of the deserted country, between the Zoolahs and the Amapondas, by the British, would tend very much to the security of the Caffres; description of the country, *Gardiner* 4119–4131.

*Deserters.* Treaty made with the King of Zoolah not to encourage deserters from his country at Port Natal, and principle which induced witness to acquiesce in that treaty, *Gardiner* 4028——The restoration of deserters caused the British inhabitants of Port Natal to be in very great favour with the Zoolahs, *Gardiner* 4063–4065——Number of deserters at Port Natal, *Gardiner* 4070——Examination as to the capture of certain females who had deserted from Dingarn, and delivered up by the English settlers at Port Natal, *Gardiner* 4072–4086——It would be possible to inhabit the colony with Europeans, without being exposed to the necessity of returning deserters, *Gardiner* 4088, 4089.

*Dingarn,* King of Zoolah. English residents at Natal, on one occasion, in a matter of trade, violated the commands of the King of the Zoolahs, *Gardiner* 4001*——Opinion that he assisted in the murder of his brother, and that he had also caused the destruction of his own children, *Gardiner* 4011——Held one of his servants by the hand, and deliberately burnt a part of his arm with a burning-glass, *Gardiner* 4016——Other cruelties practised by him on his subjects, *Gardiner* 4016——Wishes some efficient control over the settlers to be established at Port Natal, *Gardiner* 4120, 4121.——*See* also *Port Natal.*

*Diplomatic Agents.* The appointment of diplomatic agents in Caffreland would tend more to the amicable settlement of that country than any other measure that could be proposed, *Gardiner* 4124.

*Diseases.* Opinion that Europeans coming into contact with the native inhabitants of our settlements tends to spread among them new and dangerous diseases, *Yate* 1840, *Hodgkin* 3904. 5354–5364, *Coates, Beecham & Ellis* 4329–4333. 4416. *King* 5380. 5403, 5404, *Young* 5535, 5536, *Williams* 5612, 5613. 5617——The introduction of European diseases among the Cree Indians has done more injury than anything else, *King* 5380——The Copper and Chippewayan Indians are unacquainted with the use of simples for the cure of European diseases, *King* 5390——There is no doubt that Europeans have, to a certain extent, introduced among the inhabitants of Southern Africa certain evils and diseases which call for compensation, *Young* 5535–5539——Several instances of diseases having been introduced from the mere intercourse of a ship's crew with the natives, which has reduced the population one-half, and evidence thereon, *Williams* 5613–5619.
*See* also *Native Tribes,* III, 3. *Small Pox.*

*Disturbances.* Those between the settlers and Caffres may be attributed to the defective manner in which the treaty was made between the Caffres and the colonial government, *Philipps* 310*–315*——Causes of the frontier disturbances between the colonists and the native tribes, *Stockenstrom* 523–570——Those between the natives and settlers generally originate with the latter, *Yate* 1692–1694——Witness has frequently settled disputes between Caffres and traders; the fault generally lay with the traders, *Tzatzoe* 4586–4588——Quarrels frequently arise from misconception of the intentions of the natives, *Williams* 5600, 5601.

*Dogs.* Caffre kraals are always full of dogs, *Gisborne* 3304.

*Donkin,* Sir *Rufane,* M.P. (Analysis of his Evidence.)—Governor of the Cape of Good Hope in 1820 and 1821, 5453, 5454——The best chance of civilizing and converting the savage tribes of Southern Africa is by means of missionaries, who should not intermeddle with the politics, either internal or external, of the colony, 5455——Missionaries unfit themselves for their religious duties by taking either a diplomatic or a political character, 5456, 5457——Encroachments will always be made upon the possessions of natives where civilized Europeans come in contact with barbarous nations, 5458, 5459.

*Donkin,* Sir *Rufane,* M.P. The military posts established by him on the frontier were entirely of a protective nature, *Philipps* 884–886.
*See* also *Fairs. Fredericksburgh. Neutral Territory.*

*Duckworth,* Sir *J.* See *Newfoundland.*

*Dundas,* Major *William Bolden,* R.A. (Analysis of his Evidence.)—Situations held by witness while resident at the Cape, 1130, 1131——Hottentots, by the old Dutch law, were required to be in the service of some colonist, or to belong to a missionary settlement, 1132–1136——Hottentots exceedingly troublesome to the colonists immediately after their emancipation, 1136–1144——Dutch law, with respect to vagrants, very severe, 1142——Hottentots admitted to the Kat River are supposed to possess some character, and generally a little property, 1144——The Hottentot is notoriously improvident, 1144——Great deal of good has been done by the missionaries at the Cape; stations on the frontier and within the colony, 1148–1155——General character of the Caffre, 1156–1158——System of reprisal has not been attended with any salutary consequences, 1159——Only one commando issued against the Caffres from 1825 to 1828; several issued for defending Caffres against incursions of large hordes from the north with intent to plunder and overwhelm them, 1160–1165.

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*Dundas*, Major *William Bolden*, R. A. (Analysis of his Evidence)—*continued.*

Not one-tenth of the cattle taken by the Caffres is returned, 1165-1168——Caffres are very improvident of their corn, 1168——The interests of the British settlers on the eastern frontier has been much depressed from the continued inroads of the Caffres, 1169——Whether as much protection was afforded to the frontier as the resources of the colony enabled the government to afford, 1170, 1171——Particulars relative to the removal of the Caffre Chief Macomo from the Kat River, 1172-1174——Colonial policy towards the Caffres has been far from uniform; evidence respecting the changes made therein during the time witness was there, 1175-1194——Very great objection to the original boundary of the Fish River; allowing the proposal of Sir Rufane Donkin for colonizing the ceded territory to be carried into effect would have afforded great security to property on the frontier, 1195-1199.

Caffres are a greatly increasing nation; principal cause of their present aggressions is to find more land to graze their cattle on, 1200——Doubts as to the title of Gaika to the ceded territory, it never having been the property of his ancestors, but the property of the Hottentots, 1201-1204——Caffres, from the nature and extent of their depredations, could not expect but that attempts would be made to recover the property stolen, 1211-1213——Thirty thousand head of cattle taken by the Caffres on one incursion, 1215-1219——Further evidence respecting the objectionable nature of the boundary of the Fish River, 1222——Tract of land between Keiskamma and Kei very fruitful; Caffres possess large herds of cattle in that tract, 1223-1225——Evidence respecting the manner in which the Dutch obtained possession of the colony from the Hottentots, 1227-1231——The extension of the English boundary will be attended with great injury, not only to the Caffres, but to other tribes on their immediate territory, 1233-1244.

Revenues of the Cape are not very great, but the expense of keeping the country will be enormous, 1235——Opinion that the disputes between the Caffres and the British Government has been chiefly caused by the interference of the missionaries, 1250-1255——Opinion that Dr. Philip has done a great deal to disturb the peace of the frontier, both by his speeches and writings, 1257-1290——Book published by Dr. Philip contained many mis-statements and exaggerations, for one of which he was tried and convicted, 1273-1282——Wesleyan missionaries have done more than possibly could be expected at the Cape, while those missionaries further to the north have no influence over the minds of their hearers, 1291-1296.

[Second Examination.]—Civil commission upon the Caffre frontier of the Cape, 2754——Field cornets never enter Caffreland at the head of an armed force, 2755, 2756——Duties of field cornets, 2756——Ordinance issued by Sir Lowry Cole, distinctly marking out the purposes for which field cornets, &c. appointed, and opinion thereon, 2758-2761——Proclamation issued by Earl Macartney does not apply to the frontier generally, but only to the northern frontier of the colony, 2761-2764.

*Dunn*, Mr. The charges against Colonel Cuyler were extracted by him from Mr. Read's letters, witness having previously marked the passages, *Philip* 5507.

*Dutch.* Evidence respecting the manner in which they obtained possession of the Cape from the Hottentots, *Dundas* 1227-1231——The Dutch did not take possession of any part of Caffreland; they occupied the Hottentot country; evidence relative thereto, *Gisborne* 3483-3491.——*See* also *Hottentots*, 1.

*Dutch Colonists.* Are better organized and more prepared against Caffre depredations than the British settlers, *Shaw* 739——They frequently cross the boundary of the colony and encroach on the grazing land of the natives during an excessive drought, *Philipps* 411-415.

*Dutch Farmers.* Views of the Dutch farmers in advocating certain systems which might tend to improve their condition in the colony, *Bradford* 1434——Common practice of the Dutch farmers to provide for their sons by sending them to the north of the colony with a number of cattle and a waggon, for the purpose of settling themselves near any spring that affords a permanent supply of water, *Gisborne* 3322-3333.

*See* also *Complaints. Hottentots*, 1.

*Dutch Law.* See *Vagrancy.*

*Duty.* Amount of duty on articles imported into the colony; increase of the amount might be beneficially made, and a number of small taxes done away with, *Philipps*, 925-933——Manner in which the duty on articles imported into the colony is expended, and under whose direction, *Philipps* 933.

E.

*Education.* Great desire for education among Hottentots at Kat River, *Stockenstrom* 1387, *p.* 154, *Bradford* 1496-1498, *Stoffel* 5069——In New Zealand, *Yate* 1776-1781——Great want of religious instructors in New Zealand, *Yate* 1776-1781——The education of the native inhabitants of the British settlements is impeded from their coming into contact with Europeans, *Coates, Beecham & Ellis*, 4333. 4339——System of education introduced among the Caffres, *Beecham* 4402——Great advantage would be derived from superintending the instruction of the sons of chiefs and other influential persons, *Hodgkin* 5350——Number of children receiving education in the different schools at the Kat River settlement, *Philip* 5433-5438.

*See* also *Chiefs*, Sons of. *Children. Hottentots. Kat River. Weeks*, Mr.

*Emancipation of Hottentots.* See *Crime. Hottentots,* 2. *Kat River,* 2. *Ordinances.*

*Emigrants.* Those sent out under Captain Grant were to be located at the sources of the Kat River, *Stockenstrom,* 576. 582.

*Emigration.* Conditions under which witness was induced to emigrate, and manner in which they were performed, *Parker* 492–518——A well regulated emigration to the Cape of Good Hope would be a decided benefit to the country, *Shaw* 745——Great numbers of farmers and boors are migrating northwards of the colony since the proclamation of the governor, and cause of their migration, *Cox* 3610–3622——In all schemes of emigration from this country, it is very desirable that respect should be had to the rights of the natives, *Hodgkin* 5353.——*See* also *Boors. Colonists.*

*Employment.* Great want of employment for Hottentots at the Cape, *Spiller* 861——Very great anxiety for employment among Hottentots on their emancipation, *Stockenstrom* 1387. 1392.

*Encroachments.* During the last two or three years no encroachments have been made upon the Caffres by the Hottentots, *Read,* jun. 5229——Encroachments will always be made upon the possessions of natives where civilized Europeans come in contact with barbarous nations, *Donkin* 5458, 5459——Evidence on the subject of the encroachments made by the colonial government on the native territory of the Caffres from 1739 to 1835, *Philip* 5711–5730——Extent of encroachment on the northern frontier, as stated by the Crown commissioners, which is exclusive of those referred to by witness, *Philip* 5739, 5740.

*English History.* A knowledge of English history is afforded to scholars in schools at the Kat River settlement, *Read,* jun. 5093.

*English Settlers.* Hostilities of the natives for injuries received would not extend towards the Europeans already settled in New Zealand, *Marshall* 3776–3780——Number of English residents in New Zealand, *Trapp* 3953——At Port Natal, and objects they had in view in visiting it, *Gardiner* 3981–3984——The English at Port Natal were frequently breaking faith with the Zoolu king, and how accomplished, *Gardiner* 3998–4004——The English settlers at Port Natal live in the most disgraceful manner, and very much as the natives do, *Gardiner* 4020–4022. 4087——Opinion that where the European residents are wholly missionary the result of their intercourse with the natives are purely beneficial, *Coates, Beecham & Ellis,* 4344–4347.
*See* also *Port Natal. New Zealand,* 2. *South Sea Islands.*

*Enno,* Chief. Several depredations committed by him on the Kat River settlement; he is the greatest scoundrel on the frontier, *Wade* 2781*.——*See* also *Cattle,* 1.

*Erasmus,* Field-cornet. Report made by him of being attacked while seizing colonial cattle in Caffreland was on inquiry found to be without foundation, *Stockenstrom* 986–1002——Witness was never required by the colonial government to produce any evidence in support of the charges brought against Erasmus, although he was dismissed the service in consequence of those charges, *Stockenstrom* 2802–2809——Depositions taken before the civil commissioner for Albany and Somerset respecting the commando entrusted to him, during the execution of which the Chief Zeko was killed, *Wade* 2785–2793, *p.* 300–305——Further depositions relative to the commando into Caffreland under his direction, *Wade* 3543, *p.* 381–386——Statement made by him in answer to the charges brought against him by the commissioner-general, *Wade* 3543, *p.* 386–388——Manner of taking the depositions respecting the commando entrusted to him; by whom the proceedings conducted, and persons present on the occasion; general character of the witnesses examined, *Rutherford* 4154–4176.

*Essequibo Island.* Indians at the back of the Essequibo are withering under the effects of a civilized state of society, for which they were not prepared, *Hodgkin* 3906–3909.
*See* also *Native Tribes,* 1.

*European Costume.* With very few exceptions, the Hottentots are clothed in European manufactured clothes; At Bethelsdorf, *Read* 5235——At the River Credit, *Coates, Beecham & Ellis* 4397, *p.* 529——At Wesleyville, *Beecham* 4402——Has been introduced among the natives of the South Sea Islands, *Beecham* 4416, *Williams* 5677——Wherever Christianity is introduced European clothing and habits are introduced, *Williams* 5677.

*European Intercourse.* Opinions that Europeans coming in contact with native inhabitants of the British settlements is attended with very prejudicial consequences, *Broughton* 240–252. 259, 260, *Yate* 1787–1792, *Hodgkin* 3894, 3895. 3902, 3903. 5354–5364, *Trapp* 3930–3936, *Coates, Beecham & Ellis* 4279–4289. 4328–4343. 4416, *Bates* 4435. 4443, 4444, *King* 5370. 5378–5380. 5403, 5404, *Young* 5535, 5536, *Williams* 5578, 5579. 5612, 5613. 5770.——*See* also *Ammunition. Arms. Native Tribes,* III, 1.

*Europeans.* Opinion that in most cases where blood has been shed the Europeans have been either intentionally or unintentionally the aggressors, *Williams* 5600.

*Evans,* Rev. *James.* Letter from him to the Rev. John Beecham, dated 29th March 1836, showing that wherever Christianity had been introduced among the aboriginal tribes civilization had invariably followed, *Coates, Beecham & Ellis* 4398, *p.* 530, 531.
*See* also *Christianity.*

*Evatt*, Captain. Testimonial from him as to the character and conduct of the Hottentots during the late war, *App. p.* 713, 714——Speech delivered by him at the anniversary of the Auxiliary Missionary Society at Port Elizabeth, describing the rise and progress of civilization among the natives of the Cape, *App. p.* 714–716.

F.

*Fairman*, Lieutenant. Evidence respecting the causes which led to, and manner in which he and his party were assassinated by the Zoolahs, *Gisborne* 3428–3433.
*See* also *Zoolu Country* and *Zoolahs*.

*Fairs*. Were established at Fort Willshire by Sir Rufane Donkin during the absence of Lord Charles Somerset, but abandoned on his return; advantages from their establishment, *Aitchison* 180–182, *Philipps* 312*, 313*, *Philip* 5327——Proclamation for holding, at the military post of Fort Willshire, to enable Caffres to purchase articles they stood in need of, *Philipps* 312*——The establishment of fairs indicates a considerable advance in civilization; nature of the trade carried on at those established at Beaufort in 1819 and 1820, *Philip* 5327, *p.* 610.——*See* also *Beaufort*.

*Farewell*, Lieutenant. Was the first English settler at Port Natal, and the present settlers were some of his servants, *Gardiner* 3982——Was murdered by the natives of Port Natal in 1829, *Gardiner* 3983.

*Farmers*. Very little inconvenience experienced by them from the want of the labour of Hottentots who left their service when emancipated, *Stockenstrom* 1387, *p.* 154——Great disposition among those of Southern Africa to wander about the country, *Hallbeck* 3117——Those in want of hands employ scouts, who waylay the Hottentots, and throw them into the trunk as vagrants, *Hallbeck* 3144——Great difficulty in procuring their attendance on commandos, *Wade* 3558——On witness's arrival in South Africa he found the farmers who had been opposed to the Dutch government in a state of insurrection, *Read* 5235.——*See* also *Dutch Farmers*. *Slavery Act*.

*Farms*. The practice of farming solitary farms at the Cape of Good Hope should be discouraged, *Shaw* 1070.

*Feejees*. A group of more than 150 islands, one of which is 500 miles in circumference, *Williams* 5609.

*Ficani Commando*. The Hottentots of Bethelsdorf and Theopolis were great losers by the horses that died or were rendered useless by this commando, *Read* 5235.

*Ficanis*. A caffre term for all strangers, *Gisborne* 3434.

*Field Commandants*. Witness was never consulted on the appointment of any one of the field commandants, *Stockenstrom* 2114–2123——Evidence respecting report made of a field commandant being attacked while seizing cattle in Caffreland, *Stockenstrom* 2156–2177. 2179, 2180——Witness's recommendation for the dismissal of a field commandant who had given a false report not attended to, *Stockenstrom* 2182–2192.

*Field Cornets*. Witness was never consulted on their appointment, *Stockenstrom* 2114–2123——Successful resistance made by a field cornet to an attack of Caffres in the neighbourhood of Sunday River, *Beresford* 2419——During the time witness resided on the Caffre frontier they never entered Caffreland at the head of an armed force, *Dundas* 2755, 2756——Nature of their duties, *Dundas* 2756——Ordinance issued by Sir Lowry Cole, distinctly marking out their duties, and purposes for which appointed, and opinion thereon, *Dundas* 2758–2761.

*Fine Waters*. The name given by native Indians of Upper Canada to ardent spirits, *Beecham* 4320.——*See* also *Spirits*.

*Fingoes*. A class of refugees driven into Caffreland some years ago in consequence of wars in their own country, *Shaw* 750–752, *Gardiner* 4025——Proposal to locate them on the territory from which the Caffres have been expelled, very injudicious, *Shaw* 750–752. 756——They are in a very deplorable state, being in a kind of slavery to the Caffres, *Shaw* 752——Some of them were killed by the Caffres during their incursion into the colony, *Read*, jun. 5131——Were in the constant habit of travelling to and from Caffreland without passes, *Read*, jun. 5224.

*Fish River*. After 1812 no Caffre was allowed without a pass to appear on the right bank of the Fish River under very heavy penalties, *Dundas* 1175–1178——By a proclamation of Earl Macartney in 1798 the Great Fish River was declared to be the proper boundary between the colony and the Caffres, *Philip* 5712, 5713.
*See* also *Boundaries*. *Passes*. *Proclamations*.

*Fish River and Keiskamma*. Opinion of Dr. Philip that the land between the Fish River and Keiskamma was the property of the Caffres, and ought to be given up to them, *Dundas* 1255.——*See* also *Boundaries*.

*Flax*. Machinery for preparing flax might be advantageously introduced into New Zealand, *Yate* 1752, 1753.

*Flinder's Island.* The size of Flinder's Island prohibits the natives from indulging in erratic habits to any great extent, *Broughton* 309–311——There is a small military force stationed in this island, *Broughton* 314——Aborigines of the island are better placed with regard to the advantage of acquiring Christianity than those of Sydney, *Broughton* 320–322.——*See* also *Christianity.*

*Foreigners.* Great number of those who intruded into the Kat River settlement refused to work or quit the settlement; manner in which they subsisted, *Wade* 2781.

*Foreign Goods.* Duty paid on the importation of foreign articles into Albany, *Philipps* 926.

*Fort Willshire.* See *Fairs.*

*Foulahs.* Considerable improvement has been made in the temporal condition of these people, *Beecham* 4411, *p.* 538.——*See* also *Schools.*

*Fraser,* Colonel. Evidence respecting the commando under Colonel Fraser, and arrangement made with Caffre chiefs that Gaika was to be answerable for the return of all colonial cattle stolen, *Stockenstrom* 528, *Tzatzoe* 4638–4640——Arrangement made between him and Caffre chiefs that neither Caffres or colonists should pass the Fish River, *Tzatzoe* 4639–4642.——*See* also *Commando System.*

*Fredericksburgh.* Military post established by Sir Rufane Donkin at Fredericksburgh of very essential service, *Aitchison* 35. 59, 60——Location at, was to be composed of half-pay officers, &c. of the Hottentot corps, *Stockenstrom* 581——The desertion thereof by the government who succeeded Sir R. Donkin, caused the Caffres to make aggressions on the colonists, *Philipps* 881–883.——*See* also *Caffres,* 2.

*Friendly Islands.* Frequent complaints made respecting the ill conduct of the crews of merchant vessels visiting the Friendly Islands, *Coates, Beecham & Ellis* 4307–4309.
*See* also *British Manufactures. Children. Schools.*

*Friends,* Society of. They have been in connexion with Indians of different tribes in the United States ever since 1681, *Bates* 4420——The efforts made by the Society of Friends for the civilization and improvement of the indians in the United States has not been satisfactory, though not altogether abortive, *Bates* 4420–4426——Means taken by the superintendent of the Society of Friends to prevent drunkenness among the Shawnees, and to instruct them in agriculture, *Bates* 4440–4442——Period when the change of opinion took place among the Society of Friends as to the proper mode of communicating civilization and religious instruction to the Indians under their superintendence, *Bates* 4448–4451. 4456–4458. 4460——Nature and extent of the difficulties in which the Society of Friends in America has been involved, *Bates* 4450.
*See* also *Civilization. Hicksites.*

*Fur Trade.* The introduction of the fur trade among the Chippewas has rendered them so completely a wandering people, that they have very much lost their disposition to settle, *Hodgkin* 3915——The most valuable furs sent to this country are furnished by the Copper Indians, *King* 5403.

*Furniture.* Caffres have but very little furniture in their huts, except the mats which they sleep upon, *Spiller* 851——Among the British residents at Port Natal, *Gardiner* 4020.

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*Gaika,* Chief. Support given by the British Government to him in assisting him to recover possession of cattle seized by the tribe of 'Islambie, and attack upon the colonists in consequence, *Stockenstrom* 528–538——Evidence respecting the line fixed by Lord Charles Somerset with Gaika as the boundary of the colony, *Stockenstrom* 539–546——Agreement between him and Sir Rufane Donkin as to the occupation of the ceded territory, *Stockenstrom* 576–595——Part of the land surrendered by him to the British Government he had no control over, *Stockenstrom* 550–563——The invasion of the Caffre territory in 1818 by the colonial government was at his express request, *Stockenstrom* 564——He was to be answerable for the return of all colonial cattle stolen from the colony under the arrangement made between Colonel Fraser and the Caffre chiefs, *Stockenstrom* 528, *Tzatzoe* 4638–4640——He denied to the missionaries ever having entered into any treaty with Sir Rufane Donkin, *Philip* 5749——Application made by him to the colonial government for permission to graze his cattle on the land between Fish River and the Keiskamma, *Blakeman* 1342–1349.
*See* also *Cattle,* 4. *Fredericksburgh. Neutral Territory. Treaties.*

*Gaika,* Queen. Protected all the missionaries and traders at Burnshill during the late irruption, *Cox* 2910, 2911.

*Gambier,* Lord. Attempt made by him to open a communication with the aboriginal tribes of Newfoundland, but without success, *Bucham* 4221. 4232.

*Gambier's Islands.* Roman-catholic missionaries from France have stationed themselves at Gambier's Islands, *Williams* 5644, 5645.

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*Game.* The principal diet of Bushmen, *Stockenstrom* 1553——Impossible to preserve tracts for game in the British territory at the Cape, *Stockenstrom* 1554——It disappears as soon as the springs are occupied, *Stockenstrom* 1554——Invariably retires from the neighbourhood of an increasing population, *Beecham* 4320——The destruction of the game on the boundary of Upper Canada has caused a diminution of the number of the native indians there, *Beecham* 4320—Of New South Wales, *Beecham* 4320.
*See* also *Bushmen. Indians.*

*Gamtoos River.* By various proclamations from 1739 to 1788 the Gamtoos River was the recognized boundary between the colony and Caffreland, *Philip* 5711. 5723——Distance between the Gamtoos River to the Great Kye River, *Philip* 5730.

*Gardens.* Hottentots take great pains in the cultivation of their gardens in the Calledon district, *Hallbeck* 3026——Those in Caffreland are cultivated by women, *Dundas* 1158, *Hallbeck* 3077, *Philip* 5426.——*See* also *Cultivation.*

*Gardiner,* Capt. *Allen.* (Analysis of his Evidence.)—Witness has been endeavouring to obtain the sanction of the King of the Zoolu country to permit missionaries to establish themselves in his country, 3969–3972. 3978, 3979——Witness requested by the British settlers at Port Natal to negociate a treaty with the King of the Zoolahs, to prevent his army coming down and murdering the settlers there, and evidence thereon, 3973–3977——Number of European settlers at Port Natal, and objects they had in view in visiting it, 3981–3984——Port Natal is a dependency of the Zoolah country, and the king of that country is looked up to as sovereign chief, 3985–3990——Extent of country conceded by the King of Zoolah to witness; it is a very fertile country, 3991–3998——English at Port Natal were frequently breaking faith with the Zoolah king, and how accomplished, 3998–4004——No doubt that child-murder is frequently practised in the Zoolah country with reference to the children of the royal family, 4005–4009.

Evidence respecting the character of Dingarn, the king, 4010–4019——The English settlers at Port Natal live in the most disgraceful manner, and very much as the natives do; there is no form of government or police there, 4020–4022——Whether the country about Port Natal originally belonged to the Zoolahs, or acquired by conquest, 4023–4026——Evidence respecting the treaty made with Dingarn not to encourage deserters from the Zoolah country at Port Natal, and principle which influenced witness in agreeing to that treaty, 4028–4071——Reason for delivering up Mankanjana to Dingarn, 4045–4051——Restoration of deserters caused the British inhabitants of Port Natal to be in very great favour with the Zoolahs, 4063–4065——Number of deserters at Port Natal, 4070.

[Second Examination.]—Evidence respecting the capture of certain females who had deserted from Dingarn, and delivered up by British settlers at Port Natal to him, 4072–4086——Europeans at Port Natal live generally in a very immoral state, 4087——I would be possible to inhabit the colony with Europeans without being exposed to the necessity of returning deserters, 4088, 4089——The governor of the Cape of Good Hope entirely concurred in the treaty made by witness with Dingarn, 4090–4095——There are two modes of carrying on the trading intercourse between the Zoolah country and Port Natal, 4096–4099——Efforts of the missionaries in Caffreland have not been attended with such success as was anticipated, 4103–4107——Missionaries have been very influential in preserving the lives and property of individuals during the late war, 4108–4113.

The Zoolahs are a much more powerful body than the Caffres, 4114–4118——The occupation of the deserted country between the Zoolahs and the Amapondas by the British would tend very much to the security of the Caffres, and description of the country, 4119–4131——American vessels have no direct trade with the natives of Port Natal, though they have been frequently seen on that part of the coast, 4133–4136——Opinion that the Caffres are not likely to abide by the treaty lately made with them, unless under the chastisement of the English law, 4137–4140——Suggestions for improving our intercourse with the native tribes on the eastern frontier, 4141–4145——Beneficial results to be expected from the late pacification, if no alteration is made in the boundary, 4146–4148.

*Gardiner,* Lieut. His refusal to admit Caffres within the colony was not contrary to government orders, *Wade* 2781.

*Genappe.* See *Commissioner-general.*

*Geography.* Is taught in the schools under the patronage of the London Missionary Society at the Kat River, *Read,* jun. 5093, *Philip* 5438.

*George,* Magistrate of. Correspondence between the Rev. W. Anderson and the magistrate of George on the subject of passes, *App. p.* 734——Correspondence between the same parties as to the number of Hottentots located at Pacaltsdorp, *App. p.* 736.
*See* also *Vagrant Act.*

*Gisborne, Walter.* (Analysis of his Evidence.)—Territory taken from Macomo was very extensive; it was taken by violence, 3282–3284——Description of land taken from Macomo, 3285, 3286——Circumstances which caused the expulsion of Macomo, and method of moving him out of the country, 3287–3290——Caffres considered it a very great injury to be driven from their country, 3291–3295—— Not sufficient precaution taken to ascertain the correctness or incorrectness of information as to stolen cattle

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preparatory to sending out the military, 3298–3304——Great quantity of cattle taken from Macomo, which was distributed among the Tambookies, from whom they had been stolen, 3005–3310——Military frequently called out on expeditions against the natives, 3311, 3312.

Common practice of Dutch farmers to provide for their sons by sending them to the north of the colony with a number of cattle and a waggon, for the purpose of settling themselves near any spring that afforded a permanent supply of water, 3322–3333——No contests between them and the natives on taking possession of the land, 3330——Great difficulty in keeping the colonists within the frontier, 3334–3337——Opinion that the settlement of the colonists on the frontier would be attended with very serious injury to the natives, 3338, 3339——Principal part of the encroachments have been made in a country where good pasturing places are widely separated, 3340, 3341——Opinion that the Caffres obtained their ammunition during the late war from the Hottentots, who act as herdsmen to the settlers on the frontier, 3345–3353.

Character of the Caffres, 3361, 3362. 3392, 3393——The Zoolahs are more ferocious characters than the Caffres, 3363. 3366——Distance from the River Kye to Port Natal, and description of the country, 3367–3370——Caffres capable of improvement, 3373, 3374. 3388——Those in the neighbourhood of missionary stations not more civilized than those at a distance, 3373–3376——Form of government among the Caffre tribes is generally elective; cases when it is broken through, 3384–3387——Caffres live in settled habitations, removing only to better pasturage during the rainy season, 3389–3391——Whether the relations subsisting between the settlers and Bushmen are generally hostile, or of a marked character, 3397–3404——Government has no power to compel settlers beyond the boundary to return, unless by sending the military to enforce their return, 3407–3410.

Evidence respecting the causes which led to, and manner in which Lieut. Fairman and his party were assassinated by the Zoolahs, 3428–3433——Opinion that the greatest freedom of intercourse should be allowed between the colonists and the natives, as the only mode of preserving peace and tranquillity, 3438–3440——Much greater intimacy between the Indian and Canadian than between Caffres and the colonists, owing to the system of presents, and the Indians living very much on the bounty of the Canadians, 3441–3444——Nature of the protection afforded to indians who sell their land, 3445–3447——Indians are a declining population, owing to their hunting grounds being taken from them, 3448–3452——Use of ardent spirits very prevalent among the Indians of Canada, which has a baneful effect, 3453–3456——The use of spirits has not been introduced among Caffres, 3456.

General indifference among the Dutch boors to protect their cattle from the Caffres, in consequence of their being sure to be indemnified by the government, 3461–3474——Hottentots at the Kat River have shot several Caffres in the act of stealing their cattle, 3461. 3467–3470——Opinion in the country that the boor invariably gives in a larger number of cattle than he has actually lost, 3463–3466. 3472, 3473——Evidence respecting the law among Caffres, on the restitution of stolen property, 3474–3480. 3482——The Dutch did not take possession of any Caffre land; they occupied the Hottentot country, and evidence relative thereto, 3483–3491.

*Glasgow Missionary Society.* The missionaries of this society were not popular at Graham's Town, *Read*, jun. 5207.

*Gnadindahl.* Missionary establishment there is a very useful and respectable establishment, *Dundas* 1151.

*Goats.* The Caffres have a great quantity of goats, *Tzatzoe* 4778——Average price of goats in Caffreland, *Tzatzoe* 4780, 4781——Have been introduced by the missionaries stationed at the South Sea Islands, *Williams* 5632.

*Goobie.* A Caffre who was imprisoned and flogged at Graham's Town by order of the civil magistrate, *Philip* 4473, *p.* 552.

*Government Agent.* At the Cape, has too much business to attend to, *Philipps* 957.
*See* also *Agents. British Residents. Griquas.*

*Government Grants.* Annual grants of money to be made to the missionary societies at the Cape in equal proportions, having reference to the number of schools established, and natives instructed by each society, *Shaw* 664——It is important that when Government has granted sums for the advantage or repayment of the aborigines, that a due application of those sums should be secured, *Hodgkin* 5338——A very small portion of the funds granted for the benefit of the aborigines finds its way into their hands, and then not in sums sufficient to be beneficial to them, *Hodgkin* 5338.

*Governments.* Those having intercourse with native tribes should lay restrictions on the acquisition of territory, *Bates* 4460.

*Governor of the Cape.* Questions of war and peace are solely decided by the governor for the time being, *Stockenstrom* 568–570.
*See* also *Colonial Government.*

*Graaf Reinet.* See *Legislative Council.*

*Graham's Town.* Very desirable that there should be a local sub-governor to hear complaints, &c. at Graham's Town, *Philipps* 396–398, *Shaw* 664——Powers that should be granted him, *Shaw* 664.——*See* also *London Missionary Society. Normal Schools.*

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*Graham's Town and Cape Town.* Distance between, and time requisite to perform the journey, *Shaw* 735-738.

*Graham's Town Journal.* The editor of the Graham's Town Journal has been generally unfavourable to the Caffres, and entirely unfavourable to the views taken by witness of the colonial policy, *Philip* 4490-4495.

*Grammar.* A grammar has been arranged and compiled in the Caffre language, *Shaw* 1112, 1113——Also in the South Sea Islands, *Coates, Beecham & Ellis* 4416, *p.* 542.

*Grant,* Captain. See *Emigrants.*

*Grass.* Principal dependence of the Caffres is on grazing, *Shaw* 668. 720-724——Caffres frequently suffer from the want of food when grass is scarce, *Gisborne* 3302——The country between the Kye River and Port Natal is covered with sour grass, *Gisborne* 3368.

*Grazing Land.* See *Caffre War,* 2.

*Greek.* Very great proficiency made in Greek by the boys belonging to the Normal school at the Kat River, *Philip* 5438.

*Griqua Town to the Cape.* Evidence respecting the distance from Griqua Town to the Cape; roads leading to it, and their condition, *Philip* 5322-5326.

*Griqua Town.* The springs of water where Griqua Town now stands were discovered by missionaries, and taken possession of by them in the name of the London Missionary Society, *Philip* 5327, *p.* 608——Letter from witness to Sir Benjamin D'Urban, dated 16 July 1832, relative to the appointment of the second son of Waterboer, as chief of the Griqua country, *Philip* 5327, *p.* 620.

*Griquas.* The importance of ensuring their affections towards the colonsist becomes more, apparent every day, *Philip* 5327, *p.* 608——Their origin will be found fully developed in the Journal of the Rev. Mr. Campbell, and other travellers in South Africa, *Philip* 5327——Evidence showing the importance of the Griquas to the colony; measures recommended to be adopted in relation to them; answers to objections that have been made to any interference on the part of Government with them, *Philip* 5321-5327, *p.* 608——The Griquas on the northern frontier may, by a just and liberal policy, be retained as the cheapest and best bulwarks of the colony, *Philip,* 5327, *p.* 608——Their refusal to furnish men for the Cape regiment gave great offence to the colonial government, *Philip* 5327, *p.* 609.

A small party of the Griquas disclaimed the authority of the government agent, and removed from the district governed by the Griqua chiefs, *Philip* 5327, *p.* 609——They will be found extending along the border of the Orange River from Caledon River to 50 miles beyond Griqua Town, *Philip* 5322——Evidence showing the humanity of the Griquas towards the Bergenaars in 1827, in answer to the charges brought against them of cruelty to the bushmen, *Philip* 5327, *p.* 622——The Griquas at missionary stations and the Bergenaars have been often confounded in speaking of the state of things beyond the northern frontier, *Philip* 5327, *p.* 626——They have for some years past looked forward to their country being received into the colony, as the only remedy to the evils to which they have been exposed, and which has so long threatened their existence as a people, *Philip* 5327, *p.* 626.

*See* also *Anderson,* Rev. *William. Bushmen. Colonists. Kok, Adam,* Chief, *Missionaries,* 1, 2. *Polygamy.*

*Grog Shops.* Evils arising from the establishment of grog shops in the South Sea Islands, by seamen who have absconded from their vessels, *Beecham* 4365.

*Guard,* Capt. Evidence respecting the cruelty practised by Captain Guard towards the New Zealand Chief O-o-hit, *Marshall* 3679-3693——Expressions used by him respecting New Zealanders created great disgust among the officers of the Alligator, *Marshall* 3761-3764——The suggestions made by him as to the mode of treating with the New Zealanders highly improper, *Lambert* 3843-3847.

*See* also *M'Murdo,* Lieutenant. *New Zealand,* 4. *O-o-hit,* Chief. *Pahs.*

*Guard,* Mrs. The New Zealanders acted with kindness towards her during her captivity, *Marshall* 3713-3716——Was compelled by the natives to walk twenty miles barefooted; natives constantly threatened to shoot her if she attempted to stop, *Lambert* 3798——Statement of the cruelties practised by the natives of New Zealand towards Mrs. Guard, as detailed by her before the governor and council at Sydney, *Lambert* 3857-3860.

*Guatana.* Military post established at Guatana by Sir Lowry Cole, *Philipps* 894.

*See* also *Cattle,* 4.

*Guinea, New.* Extent thereof; its population very great, *Williams* 5609.

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*Head-dresses.* See *Handkerchiefs.*

*Heathen Nations.* Opinion that all heathens have more or less some notions of an invisible being, whose power they dread and whose anger they are anxious to appease, *Coates, Beecham & Ellis,* 4407-4410.

*Hallbeck*, Rev. *Hans Peter*. (Analysis of his Evidence.)—Number of stations belonging to the Moravian Missionary Institution in South Africa; number of natives belonging to them, 3004–3006——Number of schools and scholars attached to them, 3007–3009——The capacity of Hottentot children for receiving instruction much the same as in other parts of the world, 3010–3011——Proportion of the population attending religious instruction at the missionary institutions, and beneficial effects arising from it, 3012–3016——Nearly one-half of the population in witness's neighbourhood derive their subsistence from mechanical arts, 3017, 3018——Several Caffre families in the district of Calledon; its distance from Cape Town, 3019–3021——Hottentots very industrious when there is a prospect of remuneration, 3022, 3023. 3025–3028.

Number of Hottentots that have joined the army for repelling the Caffres belonging to witness's district; there was no difficulty in inducing them to go, 3029–3031——Offers made by the government for the wives and families of those engaged in the contest to accompany their husbands, but without effect, and reason assigned for not going; and manner they were supported by the government during their absence, 3032–3039——Evidence respecting the character of the Chief Mapassa, and the treaty entered into between him and the Colonel Somerset, 3044–3063——Opinion that the best mode of civilizing men is by giving them religious instruction, 3064–3069——Caffres attach much more value to their huts than the Hottentots, 3070–3076——Very little cultivation carried on by Caffres, except their gardens, which are cultivated by the women, 3077——Length of time occupied in constructing a Caffre hut, 3078–3080——Whether the destruction of a large number of them would involve the people in a great deal of privation and misery, 3081, 3082——Infant schools have been instituted at all the Moravian Missionary stations; and beneficial effects on the population therefrom, 3086–3091.

Missionary settlement connected with witness's society among the Tambookies, and progress made with reference to the objects thereof, 3092-3100——Land in the colony is sold by public auction, the colonial government finding the title; all transfers of property are entered at the office in Cape Town, 3101–3110——General disposition among the natives to wander from their homes, and thus become vagrants, 3113–3121. 3128–3135——It would have been a very great hurt to farmers, and the aborigines themselves, if the vagrant law had passed, and evidence thereon, 3122, 3123. 3132. 3136, 3137——Opinion that a vagrant law is an unnecessary restriction of the right which ought to be possessed by every person of disposing of their labour to the best advantage, 3124–3127——Object of the Vagrant Act that all persons should be furnished with passports, which would be extremely injurious to labourers, 3139–3145——Instances of labourers having their passports torn to pieces, and treated as vagrants, 3144.

Farmers in want of hands employ scouts who waylay the Hottentots, and throw them into the trunk, 3144——Situation of the slaves or Hottentots at the Cape is not very oppressive, 3146–3148——Less crime in the colony since the passing of the 50th ordinance, 3152–3156——Travelling and vagrancy are used as synonymous terms at the Cape as regards Hottentots, but not with respect to boors, 3157–3165——Reason why other missionary stations, which witness has visited, are not so well organized as those belonging to witness's institution, 3166–3171. 3173–3176——Great fluctuation in the attendance at the schools belonging to the London, Glasgow, &c. institutions, 3175.

*Handkerchiefs*. Are used by the females in Caffraria as a part of their head-dress, *Shaw* 1127.

*Hebrides*. A very populous group of islands; the inhabitants are very wild and savage, *Williams* 5609.

*Helme*, Rev. *H*. Extracts of letters from him, dated 2d and 23d June 1834, as to the necessity for passing the proposed Vagrant Act, *App. p.* 742.

*Henderson*, Mr. Was murdered at the commencement of the late irruption, in endeavouring to make his escape from the colony, *Cox* 2916–2918.

*Herdsman*. In Africa frequently work for less than a bullock a year, *Hallbeck* 3072.

*Herschel*, Sir *John*. Letter from him to witness states, that either Hottentots or Caffres are quite a rarity in the neighbourhood of the Cape, *Hodgkin* 3883.

*Hicksites*. A division of the Society of Friends in America who held the funds of that society applicable to civilization, and which has never been recovered, *Bates* 4450

*Hides*. Are sometimes given in exchange for articles of British manufacture, *Spiller* 853——They are exchanged by the Caffres for articles of British manufacture, *Shaw* 1128——Caffres find a ready sale in their own country for the skins of the beasts which they have stolen, *Dundas* 1168.

*Hintza*, Chief. Evidence respecting the death of Hintza, a Caffre chief, while he was detained a prisoner in the camp of the governor of the colony, *Stockenstrom* 1401–1413——Proclamation made by the Governor of the Cape of Good Hope to Hintza, chief of the country between the Kei and the Bashee, *Stockenstrom* 1427–1429, *p.* 158——Evidence respecting the surrender of Hintza to the British; particulars of the treaty entered into with him, and manner of his death, *Beresford* 2539–2597——He was a voluntary prisoner, and having ascertained the strength of the British camp endeavoured to escape; length of time he remained in the camp, *Beresford* 2720–2736——The object he had in view

*Hintza*, Chief—*continued.*

view in coming to the British camp was to delay the governor's advance, and to get the cattle to a place of greater security, *Cox* 3001——Causes which led to the attack on him, *Beresford* 2593–2600. 2624–2635. 2712–2719.

Reason for entering his country was for the purpose of obtaining restitution of cattle which were stolen from the colonists and known to be there, *Beresford* 2712——The murder of two British subjects was not the cause of making war on Hintza, though satisfaction for those outrages were demanded of him by the colonial government, *Beresford* 2713–2719——Opinion that Hintza would not have allowed so many Caffres as would have been exterminated from Caffreland to remain in his territory, though there was a great deal of unoccupied ground there, *Cox* 3207–3210——He sent messages to the border chiefs to abstain from hostilities, *Tzatzoe* 4555. 4611. 4617. 4633——Is considered the king of the Caffres; any insult being offered to his people, he could not restrain them from making war against them, *Tzatzoe* 4611–4614——Any treaty made with him would not bind the other chiefs, unless they were present at the time it was made and assented thereto, *Tzatzoe* 4615——The reason he did not call a meeting of the chiefs previous to the late war was, that the Caffres had attacked the colony before he was aware of the fact, *Tzatzoe* 4634. 4635.——*See* also *Caffre War*, 3. *Treaties.*

*Hodgkin, Thomas*, M.D. (Analysis of his Evidence.) Witness has paid great attention to the condition of the aborigines in various parts of the globe, but more particularly to the North American Indians, and sources from which he has derived his information, 3865–3870——Colonization of the subjects of Great Britain among the aborigines of America or Southern Africa is more injurious to those natives than the colonization of Great Britain by the Romans, 3868–3876——Causes to which the difference in the effects produced by ancient colonization and those produced by modern colonization may be attributed, 3877–3881——Attempts to colonize the natives of Southern Africa have reduced their numbers more than the operations of the slave trade in Western Africa, 3882–3889. 3901——Effect of the intercourse of the natives of Southern Africa with Europeans has been a considerable degradation of morals, and a still more considerable reduction of human life, 3890–3905——Indians at the back of the Essequibo are withering under the effects of a civilized state of society, for which they are not prepared, 3906–3909——Number of North American Indians have considerably decreased since 1760, 3910. 3915–3920——Indians should be divided into two classes, and nature of the protection to be afforded them, 3921.

[Second Examination.]—Opinion that, in order to introduce civilization among the aboriginal tribes, civilization and Christianity must go hand in hand, 5332–5335——Suggestions for the benefit of the aboriginal tribes, and their protection against the evils which Europeans are likely to inflict upon them, 5336–5356——Land has been sold by the Indians upon a principle of tontine, 5339——Advantages that would arise from drafting scholars from the colonial schools to this country, 5340–5342——The appointment of official patrons in the different colonies for the protection of the natives recommended, 5346——Removing the natives from the spots where they are supposed to be suffering has not been attended with any advantages, 5348——Indians should be classed according to their qualifications, 5350——Opinion that Europeans coming in contact with native inhabitants of the British settlements tends to deteriorate, in many instances, the morals of the natives, to introduce European vices and diseases, the use of ardent spirits, and the use of European arms and instruments of destruction, 5354–5364——Opinion that the system pursued by William Penn should be adopted by Government so far as to abstain from aggression, at the same time, some effort should be made for the improvement of the natives, 5362, 5363.

*Holland, New.* Evidence respecting the condition of the aborigines of New Holland previous to the visits of missionaries among them, *Williams* 5695–5703——The aborigines of New Holland were the most degraded of any class witness met with during his travels, *Williams* 5698——Pernicious influence of the immoral conduct of Europeans upon the natives of New Holland, *Coates, Beecham and Ellis* 4279–4289——Suggestions for promoting the security and the protection of the natives of New Holland, *Coates, Beecham and Ellis* 4365——Evidence respecting the proceedings of the Church Missionary Society in New Holland, *Coates, Beecham and Ellis*, 4376, 4382.

*See* also *American Vessels. Church Missionary Society. Illicit Intercourse. Infanticide. Native Tribes*, III, 1. IV. *Prostitution. Stockmen.*

*Horn.* Is principally given in exchange for articles of British manufacture, *Spiller* 853.

*Horses.* Price of horses at the Cape, *Aitchison* 164–167——Number of horses driven by the Caffres from the colony between November 1828 and September 1829, *Wade* 2773——The Caffres have a great number of horses now more than they had at the time of the interview between Gaika and Lord Charles Somerset, *Tzatzoe* 4772–4777——Frequent instances of horses being lost, which were supposed to have been taken by the Caffres, which were afterwards found, *Stoffel* 4982, 4983.

*Horse Guards.* Copies of all general orders are transmitted from the Cape to the Horse-Guards at home, *Cox* 3603.

*Hospitality.* Is a very general rule among the Caffres, *Gisborne* 3392, 3393.

*Hottentot Corps.* An augmentation thereof decidedly necessary, *Shaw* 733, 734——The Hottentot corps should not be decreased, but, on the contrary, another regiment should be raised, *Bradford* 1474–1488.

*HOTTENTOTS:*

1. *Generally.*
2. *Their Character previous to and since their Settlement at the Kat River.*
3. *Decrease in their Numbers, and Causes which have led to it.*
4. *Their Condition previous to and since the Arrival of the Missionaries.*
5. *Conduct of those at the Kat River during the late War.*
6. *Suggestions for improving their Condition.*

1. *Generally:*

Extent of country possessed by them at the Cape of Good Hope previous to the encroachments of the Caffres, and the subsequent introduction of British settlers, *Philipps*, 306*, 307*——Number that might be found in the colony to occupy the recently acquired territory, *Spiller* 865–867——Evidence respecting the manner in which the Dutch obtained possession of the Cape from the Hottentots, *Dundas* 1227–1231——Were required by the old Dutch law to be in the service of some colonist, or to belong to a missionary settlement, *Dundas* 1132–1136——Those who attached themselves to the missionary establishments were not required to enter into the service of the farmers, *Dundas* 1149——Although located on lands claimed by the Caffres, lived on peaceable terms with them up to 1832, *Stockenstrom* 1394. 1399, 1400——Travelling and vagrancy are used as synonymous terms at the Cape as regards Hottentots, but not with respect to boors, *Hallbeck* 3157–3165.

Witness never applied to the governor of the Cape in 1824 for grant of land in advance of the Kat River for locating 5,000 Hottentots, *Philip* 4484–4496——They never went into Caffreland without a military officer, *Read*, jun. 5229——Manner in which they obtained the money with which they purchase clothing, *Read* 5235——Complaints of a Hottentot are never well received by the magistrates, *Stoffel* 5061——They refused to assist the Dutch farmers of Graaf Reinet in their attack on the colonial government, *Read* 5235——Situation of the Hottentots at the Cape is not very oppressive, *Hallbeck* 3146-3148——At the Kat River, have shot several Caffres in the act of stealing their cattle, *Gisborne* 3461. 3467–3470——The ordinance emancipating them was the act of Sir Lowry Cole without any assistance from Dr. Philip, *Wade* 3524–3526.

2. *Their Character previous to, and since their Settlement at the Kat River:*

They are very indolent in rainy weather, *Aitchison* 86–88——They are notoriously improvident, *Dundas* 1144——They were exceedingly troublesome to the colonists immediately after their emancipation, *Dundas* 1136–1144——Conduct of the Hottentots previous to emancipation very irregular; their general character, *Stockenstrom* 2300–2314. 2316–2321——Those located at the Kat River are a most industrious class of people, *Spiller* 860——They are very industrious when there is a prospect of remuneration, *Hallbeck* 3022, 3023, 3025–3028——Frequently travel 500 miles for a very trifling remuneration, *Hallbeck* 3163——Nature and extent of the improvements in the condition and character of Hottentots after their settlement at Kat River, *Stockenstrom* 2327–2331.

Character of the Hottentots, both before and since their settlement at Kat River, *Philip* 5448——Previous to their settlement at Kat River they were in a more degraded situation than any slaves, *Stockenstrom* 1388–1390. 1392——Those at the Cape were prior to the passing the 50th ordinance in a state of greater depression than slaves, *Philip* 5413–5415——Proportion of those located at the Kat River settlement that were possessed of property at the time of their settlement, *Stockenstrom* 1414, 1415——Numbers of those located at the Kat River were possessed of property acquired while in the service of the farmers, *Wade* 2781——Resolutions passed by Hottentots at the Kat River, stating they wished to hold and did hold amicable relations with the Caffres, *Read*, jun., 5228, 5229——Are perfectly well acquainted with the use of firearms, *Spiller* 862.

3. *Decrease in their Numbers, and Causes which have led to it:*

Evidence as to the nature of the oppression under which Hottentots labour from European treatment, *Stoffel* 5057–5067——They were not reduced in numbers from their wars with the Caffres, but by the boors who used to tie them up and shoot them, *Stoffel* 5039–5046. 5052, 5053——Very few Hottentots to be found near the Cape of Good Hope, *Hodgkin* 3883——Reduction of the Hottentots had gone nearly to its full extent previous to the British taking possession of the Cape, *Hodgkin* 3898——They had become, to a certain extent, a located people, previous to the British taking possession of the Cape, *Hodgkin* 3898——Number of Hottentots have decreased where they have been left to Europeans, but have increased where they have belonged to the missionary institutions, *Stoffel* 4967–4972——Their supposed number, *Read* 5235.

4. *Their Condition previous to and since the Arrival and Settlement of the Missionaries:*

Great numbers of Hottentots are refused admission to missionary stations from the worthlessness of their character, *Dundas* 1144——Decided improvement in Hottentots attached

*Hottentots*—4. *Their Condition*—continued.

attached to the missionary stations after the passing the 50th ordinance, *Philip* 5418——It is not true that the presence of the Hottentots attached to the missionary stations in Caffreland are injurious to the good understanding at present existing between Caffres and colonists, *Tzatzoe* 4870-4872——It is not true that a number of Hottentots from Kat River have gone to reside in Caffreland, *Read* 5292, 5293——Evidence relative to the condition of the Hottentots at the time Dr. Vanderkemp and Mr. Read arrived at Bethelsdorf, *Stoffel* 4943-4960——They were in a most wretched condition on witness's arrival in Africa, *Read* 5235——Great improvement in the character and condition of the Hottentots since the arrival of the missionaries, *Stoffel* 4961-4966——Are a very improving nation, *Read* 5235——They form the principal part of the scholars in the different schools at Kat River, *Read*, jun. 5098.

5. *Conduct of those at the Kat River Settlement during the late War:*

Hottentots at the Kat River maintained their position during the last incursion of the Caffres, *Spiller* 867——Those at the Kat River were ordered out against the Caffres as soon as hostilities commenced; they went very readily, *Hallbeck* 3029-3031, *Stoffel* 4998, 4999——Number of Hottentots that have joined the army for repelling the Caffres, *Hallbeck* 3029-3031——Those at the Kat River considered themselves in great danger at the commencement of the late hostilities, and steps taken by them to protect themselves, *Read*, jun. 5120-5122——Offers made by the government for the wives and families of those engaged in the contest to accompany their husbands, and reason assigned for not going; manner in which they were supported during the absence of their husbands, *Hallbeck* 3032-3039——Those of Bethelsdorf were employed in expelling Caffres from the Zuurveldt under Colonel Graham, *Read* 5235——They were not (previous to the late war) in witness's opinion, in any way tampered with by the Caffres, *Read* 5283-5285——Supposition among the Caffres that they would have joined them in their late attack on the colony, *Cox* 2897.

6. *Suggestions for improving their Condition:*

Suggestions for bettering their condition and improving their morality, *Bradford* 1514; *p.* 169-171——Measures which appear to witness indispensable towards ensuring justice for the Hottentots of different races in the colony, *Bannister* 1553; *p.* 175——Statement respecting the condition of those located at Kat River and those remaining in the colony, *Bradford* 1514; *p.* 169-171——Statement respecting the condition of those at the Cape, *Bradford* 1434——They should not be made a separate people, but it is impossible to avoid exclusive colonization, as an English or a Dutch settler will not take a grant of land with which a Hottentot would be perfectly satisfied, *Stockenstrom* 2364-2368.

*See* also *Agriculture. Arms. Caffre War*, 3, 4. *Colonists. Cultivation. Employment. Intemperance. Kat River Settlement. Loyalty. Missionaries*, 2. *Neutral Territory. Population. Poverty. Schools. Temperance Societies. Vagrancy.*

*Hottentot Children.* See *Children.*

*Houses.* Of those Hottentots who are steadily employed are in very good condition, *Hallbeck* 3028——Great improvement in the mode of building houses among the Shawnees, *Bates* 4454——Of natives in the South Seas are plastered with lime made from the coral rock, *Williams* 5624.

*Huahine.* See *Convicts.*

*Hudson Bay Company.* Has prohibited the use of spirits among the Cree Indians beyond Cumberland-house in their territory, *King* 5395——There has been no means taken by the Hudson Bay Company to establish schools or send missionaries among the inhabitants of their territory, *King* 5396. 5408, 5409.

*Human Sacrifices.* The offering of human sacrifices among the natives of the Sandwich Islands has caused a diminution of the population in those islands, *Coates, Beecham & Ellis* 4328——Much more frequent in the South Sea Islands than in any other nation, *Beecham* 4416, *p.* 541.

*Hunting Grounds.* See *Indians.*

*Huts.* Caffremen consider themselves degraded by building their huts, *Dundas* 1158——Great number of Caffre huts destroyed during the month of January 1835, *Cox* 2866-2882——Caffres attach much more value to their huts than the Hottentots do, *Hallbeck* 3070-3076——Whether the destruction of a large number of them would involve the people in a great deal of privation and misery, *Hallbeck* 3081, 3082——Length of time occupied in constructing a Caffre hut, *Hallbeck* 3078-3380——Caffre huts have often artificial floors; composition of them, *Gisborne* 3295.

I.

*Illicit Intercourse.* Is carried to a very great extent among Europeans and the female aborigines of New Holland, *Coates, Beecham & Ellis* 4280——The immoral intercourse between Europeans and aborigines of New Holland is so enormous, that it appears a moral obligation on the local government to take any practicable measures to prevent it, *Coates* 4348——The Chippewa Indians prohibit their women from cohabiting with white men, *King* 5393.——*See* also *Infanticide. Stockmen.*

*Illicit Trade.* Instances of persons carrying on illicit trade with Caffres for cattle being apprehended, convicted and punished, *Dundas* 1178–1181.

*Imprisonment.* Some murders which had been committed under Lord Caledon's government were proved, and the guilty punished by imprisonment, *Read* 5235.

*Improvements.* See *Albany.*

*Incantations.* Caffres very much addicted to incantations, *Shaw* 1119–1121.

*Indians.* Much greater intimacy between the Indians and Canadians than between Caffres and the colonists of the Cape, owing to the system of presents; and the indians living very much on the bounty of the Canadians, *Gisborne* 3441–3444——Nature of the protection afforded those who sell their land in Canada, *Gisborne* 3445–3447——Those on the boundary of Canada are a declining population, owing to their hunting grounds being taken from them, *Gisborne* 3448–3452——Those resident on the frontiers of the British settlements are still suffering from our traders and from the loss of their game, *Hodgkin* 3921.

Those who live among civilized settlers are very much reduced to a state resembling that of the gypsies in this country, *Hodgkin* 3921——They should be divided into two classes, and nature of the protection to be afforded them, *Hodgkin* 3921——They should be classed according to their qualifications, *Hodgkin* 5350——Native Indians of the United States are a very degraded race, *Gisborne* 3456——Will not work without some stimulus, *Natterer* 4266–4267——Teaching the Indians at the Red River the Lapland system of training their deer would lead ultimately to their becoming an agricultural people, *King* 5401.

*See* also *Cherokee Indians. Chippewa Indians. Copper Indians. Cree Indians. Land. North American Rivers. Red River.*

*Industry.* Progress of industry in New Zealand, as communicated by the missionaries there, *Coates, Beecham & Ellis, p.* 532——The industry of the native tribes in the British settlements will be promoted by the formation of missionary stations, *Coates, Beecham & Ellis* 4347——Is promoted from hearing the Gospel, *Beecham* 4411, *p.* 538.

*Infanticide.* No doubt that child murder is frequently practised in the Zoolah country with reference to the children of the royal family, *Gardiner* 4005–4009——Principal inducement to commit infanticide among the natives of New South Wales is the obnoxiousness to them of the half-caste child, *Coates* 4281–4285——More cases of infanticide among the inhabitants of the South Seas than any other nation previous to the introduction of Christianity, *Beecham* 4416. *p.* 541——Previous to the arrival of the missionaries at the island of Tahiti infanticide prevailed to a very great extent, *Coates, Beecham & Ellis* 4328*——Takes place to a considerable extent in New Holland, *Coates, Beecham & Ellis* 4280–4286——No cases of infanticide where illicit intercourse is between two natives, *Coates* 4296——Is abolished by means of the instruction afforded by the missionaries, *Beecham* 4411, *p.* 538——More frequent among inhabitants of South Sea Islands of late years than formerly, *Williams* 5612.

*Infantry.* Are of very little use in the pursuit of stolen cattle, *Aitchison* 163——Or in any kind of Caffre service, *Philipps* 352——Are very seldom employed in patrolling, *Spiller* 767, 768.

*Infant Schools.* Have been established at all the Moravian missionary stations, and beneficial effects on the population, *Hallbeck* 3086–3091——An infant as well as a school for older children established by the missionaries for the use of witness's tribe; number of children attending them, *Tzatzoe* 4688–4692——Manner in which that at Balfour was supported, *Read*, jun. 5111——Those at the Kat River settlement quite equal to any of the same description in England, *Philip* 5439–5441——Great advantages if the youthful population of London were instructed in infant schools, *Philip* 5441——Their establishment in the South Sea Islands will be very advantageous, *Williams* 5669–5675.

*See* also *Stockenstrom*, Capt.

*Intemperance.* Repeated complaints of drunkenness among Hottentots in different villages and towns in the colony, *Bradford* 1499——No instance of drunkenness among the Hottentots during witness's residence at the Kat River, *Bradford* 1499–1503. 1510——The means of intoxication has been introduced among the natives of New Zealand by the crews of whalers, *Trapp* 3934——There has been some abatement of the habit of intemperance among the Shawnees, *Bates* 4433——The introduction thereof among the natives of Upper Canada caused a diminution of their numbers, *Beecham* 4320——Of New South Wales, *Beecham* 4320——Means taken by the superintendent of the Society of Friends to prevent drunkenness among the Shawnees, *Bates* 4440–4442.

*See* also *Friends*, Society of.

*Interpreters.* Promises made by them to New Zealanders for the liberation of seamen belonging to the "Harriet" not fulfilled, *Marshall* 3645–3652.

*International Law.* A system of international law introduced on the frontiers of the Cape will prove the most efficient and best protection the colonists can have, *Philip* 5733–5735——Caffres are quite capable of understanding and appreciating a system of international law, *Philip* 5735.

*Inquiry*, Commissioners of. Their recommendations with respect to the government, &c. of the Cape, have not been carried into effect, although eleven years have elapsed, *Philipps* 899-903. 921-924. 947-949——Reply of the Commissioners of Inquiry to the statement of Mr. Pringle, that the boors had wantonly and without orders fired upon Caffre women and children in 1825, *Wade* 3558, *p.* 431——Extract from the report of the Crown Commissioners, confirmatory of the charges brought by Mr. Read against Col. Cuyler, *Philip* 5515, *p.* 658——They were totally unconnected with the colony, they were sent out by the Government, *Philip* 5516.

*Irrigation.* Whether land taken from Macomo was capable of irrigation, *Gisborne* 3286——The Hottentots at Kat River have been at great pains to irrigate the portions of lands allotted them, *Philip* 5424.——*See* also *Caffres*, 2.

*Itinerant Ministry.* See *Religious Instruction.*

*Ivory.* Is given in exchange for British manufactures, *Spiller* 853——But very little to be obtained on the frontier of the Cape at present, *Spiller* 853——The ivory trade at Port Natal is very valuable, *Gardiner* 4142.

J.

*Jack*, Captain. Particulars respecting his conduct in bringing the heads of some of the persons that were murdered on board Captain Stewart's vessel to New Zealand, *Yate* 1695, 1696.

*Jansen*, General. Lands at Bethelsdorf were given by him in 1811 to the missionaries, *Read* 5235.

*Jesuits.* See *Missionaries*, 4. *Paraquay.*

*Johnson*, Capt. Proceedings taken by him to compel the delivery up unconditionally of the persons detained by New Zealanders, *Marshall* 3694-3739——Orders given by him to burn the pahs belonging to the New Zealanders, in consequence of their having fired on the soldiery, *Marshall* 3768, 3769.

*Johnston*, Mr. *John.* Extract of a letter from him, dated 23 August 1823, on the state of the mission among the Wyandots in Ohio, *Coates, Beecham & Ellis*, 4402, *p.* 532.

*Jones, Peter.* See *Christianity.*

K.

*Kama*, Chief. Frequently assembles the natives for religious worship, and gives them instruction, *Shaw* 711——He has recognised the Sabbath by proclamation, *Beecham* 4402, *p.* 535.

*Kangaroo.* The kangaroo is the principal means of subsistence of the natives of Sydney, *Broughton* 241——They immediately disappear wherever there is a settled habitation of men, *Broughton* 241.

*KAT RIVER SETTLEMENT:*

1. *Generally, and Class of Persons composing it.*
2. *Advantages from its Formation.*
3. *Disadvantages under which Settlers laboured at its Formation.*

1. *Generally:*

The sources of the Kat and Gonappe Rivers constitute the strongest holds in the whole line of frontier from the Orange River down to the sea, *Stockenstrom* 965——Opinion of Mr. Shaw that the Caffres were driven from the Kat River to make way for the location of the Hottentots is quite erroneous, *Stockenstrom* 965——Settlers on the Kat River are composed of Hottentots from all parts of the Cape, *Stockenstrom* 1416-1419——Is chiefly composed of Hottentots and bastards, *Read*, jun. 5099. 5144——Hottentots admitted to, are supposed to possess some character, and generally a little property, *Dundas* 1144——Some of the Hottentots that went to the Kat River in 1829 had property; manner in which those supported themselves who had none, *Stoffel* 4974-4978——Population of the Kat River, *Bradford* 1502, *Stockenstrom* 2332-2335, *Wade* 2781.

Great disunion between the bastards and Hottentots settled there in consequence of the improper interference of one of the London missionaries, *Wade* 2794——Evidence on the state of the Hottentots on the Kat River settlement; dependence placed by the Caffres on them during the late war, *Wade* 3546-3557——Opinion that the inhabitants of the settlement are well affected towards the English Government, *Read*, jun., 5137, 5138——Only one case before the Circuit Court from the Kat River settlement during seven years, *Philip* 5430——The Caffres made an attack on the settlement at the commencement of the war, but they were repulsed, *Stoffel* 4991-4994——Caffres took cattle from the settlement at the commencement of the war, *Read*, jun., 5130——In 1829 the Caffres were expelled from the Kat River settlement, *Philip* 5718.

2. *Advantages from its Formation:*

Hottentots being located on the Kat River of very great advantage to them, *Spiller* 856, *Stoffel* 5026, *Read* 5235——Recommendation that similar settlements to that at

*Kat River Settlement.*—2. *Advantages from its formation*—continued.

Kat River should be established, *Spiller* 860–873——Opinion in favour of the system adopted at Kat River with regard to location of Hottentots, *Stockenstrom* 2336–2338——Hottentots located there under the sanction of the colonial government, *Stockenstrom* 969——Report made by witness to the colonial government in 1833, on the subject of the Kat River settlement, *Stockenstrom* 1387, *p.* 152, 153——The expense of forming this settlement very trifling, *Stockenstrom* 1395, 1396——Is decidedly the safest part of the frontier, *Stockenstrom* 1387, *p.* 153——Prosperous state of the Kat River settlement in 1833, *Stockenstrom* 1388–1393——Improved condition of the Hottentots at Kat River since their emancipation, *Bradford* 1494, 1495, 1504–1509——Hottentots at the Kat River have not only supplied themselves with provisions since the first year of their location, but have entered into contracts with the government, *Spiller* 860, *Philip* 5431, 5432.

3. *Disadvantages under which Settlers laboured at its Formation:*

Period when the formation of this settlement commenced, *Wade* 2781——Settlers at the Kat River experienced great inconvenience on their first location from the intrusion of hundreds of natives; and the hourly increasing vexatious depredations of their Caffre neighbours, *Wade* 2781——Disadvantages under which Hottentots laboured when it was first established, *Read* 5235——The Hottentots located there received but very little assistance from government in their undertaking, *Philip* 5425——Memorial of the coloured inhabitants residing on the establishment of the Kat River against passing the vagrant law, *App. p.* 748, 749.

*See* also *Agriculture. Caffre War*, 1. *Canteens. Cattle*, 4. *Children. Civilization. Corn. Cultivation. Education. Employment. European Costume. Infant Schools. Intemperance. Location. Missionaries. Missionary Stations. Native Teachers. Population. Public Worship. Read*, Mr. *Schools. Sheep. Stockenstrom*, Capt. *Sunday Schools. Sunday Trading. Vagrancy and Vagrant Act.*

*Kaye*, Mr. His work on Caffraria not a recognized publication of the Wesleyan Methodist Society, *Beecham* 4327.

*Kayser*, Mr. Letter from him to the editor of the South African Commercial Advertiser, containing particulars relative to the murder of Mr. Warren by the Caffres, *App. p.* 719, 720.

*Kei River.* See *Hintza*, Chief.

*Kickwick*, Judge. His opinion that crime had decreased in the colony from 1830 to 1834, *Philip* 5430.

*King, Richard.* (Analysis of his Evidence.)—The Cree Indians have decreased considerably since 1801, from their contact with Europeans, who have introduced the use of ardent spirits among them, 5370–5378——Their means of subsistence have been diminished from the mode of conducting the British trade, 5380–5387——Repeated instances of Indians being starved to death, from bartering their provisions and depending for a fresh supply on the movements of the rein-deer, 5388–5390——Morality of the Chippewayan Indians, 5392–5394——Exertions of the Catholic missionaries on the Red River have not been very successful, 5396–5400——Suggestions for bettering the condition of the Indians on the Red River, 5401——The Copper Indians have decreased to one-half their number within the last five years, owing to European diseases, 5403–5406——Further evidence respecting the mode of conducting the trade between the Indians and Europeans, 5410, 5411.

*King*, Mr. Particulars respecting his treatment of Pomare, a chief in the Bay of Islands, *Yate*, 1604,

*Kitchingman*, Rev. *J.* Correspondence between him and the magistrate of Uitenhage, respecting Caffres congregated at Gorah, *App. p.* 737–740——Letter from him to Dr. Philip, dated 13 June 1834, on the subject of the Vagrant Act, *App. p.* 739, 740.

*Kok, Adam*, Chief. The appointment of the chief, Kok, on the Orange River, was made by the Griquas, and sanctioned by the colonial government, *Stockenstrom* 2381, 2382——His appointment as civil magistrate was sanctioned by the colonial government, at the request of the missionaries at Griqua Town, *Philip* 5327, *p.* 624——The Griquas under his control, in 1822, came to the determination of leaving Philippolis and seeking another country for themselves, *Philip* 5327, *p.* 619——Sum paid by him for a fountain claimed by a Bushman and his family at Campbell, which sum was re-paid him when Campbell was put under the jurisdiction of Waterboer, *Philip* 5327, *p.* 621——Explanation of the charge made against witness of having, by a written paper, given over the country about Philippolis to the Griqua chief, Kok, and his people, *Philip* 5327, *p.* 622——Was well acquainted with the proceedings of Sturman, and winked at the robberies committed by him, *Philip* 5327.

*Kraals.* A kraal is a collection of huts, *Gisborne* 3294——Attacks of Caffres on the kraals generally made during the night, *Read*, jun. 5134.

*Kye River and Port Natal.* Distance between the Kye River and Port Natal is interspersed with groves of wood, and memosas are scattered here and there over it, *Gisborne* 3368.

L.

*Labour.* Manner the natives are paid for their labour at Sydney, *Yate* 1814, 1815.

*Labourers.* Instances of their having their passports torn to pieces, and afterwards treated as vagrants, *Hallbeck* 3144.

*Lambert,* Captain *George,* R. N. (Analysis of his Evidence.)—Captain of the Alligator in 1834; expedition to New Zealand in 1834, for the purpose of releasing certain shipwrecked seamen, who were left there in captivity under charge of three different tribes, and evidence thereon, 3786–3793——Witness desired the interpreters sent to demand the prisoners on no account to promise any ransom, 3794–3798——Evidence respecting the seizure of the chief by Captain Guard, and nature of the wounds inflicted on him, 3799–3806——Reasons which led to the destruction of the pahs and the canoes, 3808–3821——Evidence respecting the death of the chief who refused to deliver up Captain Guard's child without a ransom, 3822–3831——Whether Mr. M'Murdo gave any orders to the seamen to fire on the chief, 3824–3829.

Officers of the Alligator would not allow the body of the chief to be insulted after his death, 3832–3834——Stockades were burnt when the troops quitted them, 3836–3839——Suggestions of Captain Guard as to the mode of treating with the New Zealanders highly improper, 3843–3847——Opinion that the proceedings relative to the delivery up of the prisoners will be attended with beneficial results, as the parties were of the worst tribe of persons in New Zealand, 3848–3850——Further evidence as to the seizure of the chief, as the only means of obtaining the delivery up of the prisoners, 3853–3856——Statement of the cruelties practised by the natives towards Mrs. Guard, 3857–3860.

*Lambert,* Captain. Particular orders given by him to the interpreters sent to demand the sailors, &c. detained by the New Zealanders not to promise any ransom, but on the contrary an unconditional demand for the restitution of the prisoners, *Marshall* 3672, *Lambert* 3794–3798.

*Land.* Is cultivated to a great extent by Caffres, *Stockenstrom* 1045–1047——The sale, or letting on lease by the aborigines, of their lands to any European settler should be prohibited and declared illegal, *Shaw* 1070——In new colonies no land should be taken but by treaty, *Stockenstrom* 1553. 1563——The Caffres allowed to take possession of part of the land which had been the subject of a treaty with Sir Rufane Donkin, *Stockenstrom* 1582–1585——Whether in any case possession of the springs and lands of the natives was obtained by fair bargain, and an equivalent paid for it, *Stockenstrom* 2369, 2370——Is sold by public auction at the Cape, the colonial government finding the title, *Hallbeck* 3101–3110——Held by the missionary stations has in some instances been purchased from the farmers and transferred to the use of the society to which they belong, *Hallbeck* 3106——Description of land taken from Macomo, *Gisborne* 3285, 3286.

Caffres are not allowed to occupy any land on the right bank of the Buffalo River, *Cox* 3566——Extent of that granted to the Caffres under the last treaty, *Cox* 3567–3572——The Shawnees have always been averse to drawing lines through their lands, *Bates* 4454——With respect to the division of land the Shawnees would not abandon their own views, *Bates* 4455——No reason assigned by the government for taking witness's land, *Tzatzoe* 4865–4869. 4904–4920——It has been taken from native Indians upon a principle resembling tontine, *Hodgkin* 5339——Tribes under the influence of Pato have always wished to recover their lands in the occupation of Europeans, *Young* 5543——Great quantity of the land on the northern frontier of the colony is desert, *Philip* 5741——Quality of the land between the Keiskamma and the Kye River is very fine; it is better than any other part of the colony, *Dundas* 1223. 1225, *Philip* 5742.

*See* also *Appropriation of Land. Quit Rents. Treaties.*

*Landdrost.* Office of landdrost abolished by Lord Charles Somerset, and the office of civil commissioners substituted, *Stockenstrom* 1383.

*Lang,* Mr. *J. D.* Letter from him to T. F. Buxton, esq., M. P., dated 10 June 1834, on the condition of the aborigines of New South Wales, and suggestions as to the course to be pursued in future towards them, *Ev. p.* 682–684.

*Languages.* There are two different languages in the South Sea Islands, *Williams* 5620.

*Law Officer.* Very desirable that a law officer should be appointed for the purpose of managing the cause of injured natives in the colonial courts, and of whose services the natives might always easily avail themselves, *Beecham* 4350.

*Legislative Council.* Proceedings of the Legislative Council on the ordinance for the suppression of vagrancy, *App. p.* 749–757——Resolutions of the council relating to the moral and religious instruction of the Hottentots and other free people of colour; the appropriation of lands; the subdivision of the districts of Worcester and Graaf Reinet, and of various field-cornetcies; the repeal of the second section of the fiftieth ordinance, and of all existing laws for the prevention or punishment of vagrancy, *App. p.* 755–757.——*See* also *Cape of Good Hope.*

*Leper Institution.* A missionary settlement in South Africa belonging to Government, *Hallbeck* 3005.

*Le Vaillant.* His predictions that the effects of colonization would be to decrease the number of Hottentots at the Cape have been very much verified, *Hodgkin* 3883.

*Licences.* See *Traders.*

*Lieutenant-Governor.* To be appointed for the eastern province of the colony, including the border districts; to be assisted by a legislative council, with a residence at Graham's Town, *Shaw* 664.

*Lighthouses.* See *Algoa Bay.*

*Lime.* Natives of the South Seas have been taught to make lime from the coral rock by the missionaries stationed there, *Williams* 5624–5667.

*Llambi,* Chief. Attack made by him on Graham's Town in 1819; the force under his command were very roughly handled, *Aitchison* 18–40.

*Local Courts.* Jurisdiction of the local courts in the colony should be extended so as to admit of the trial of offences committed by British subjects beyond the boundaries, *Shaw* 664.

*Location.* Recommendation that similar settlements to that at the Kat River should be established, *Spiller* 860–873——Very desirable that the natives should be located at particular spots, *Yate* 1838, 1839. 1851–1853.

*London Missionary Society.* Evidence respecting the land taken possession of by the agents of the London Missionary Society, and afterwards ceded by such agents for the purposes of a Griqua settlement, *Stockenstrom* 1900–1931——They advanced the money for the establishment of schools at the Kat River in the first instance, which has since been repaid, *Read,* jun. 5105——The missionaries connected with this society were very unpopular at Graham's Town, *Read,* jun. 5207——Reports made by witness of the London Missionary Society's missions have been more under than over-rated, *Philip* 5327; *p.* 622.
*See* also *Colonial Government. Geography. Normal Schools. Vagrant and Vagrancy Act.*

*Loss of Territory.* See *Caffres,* 5.

*Loyalty.* That of the Hottentots is very great, *Spiller* 869, *Read* 5235, 5278.

M.

*Macarthy,* Island of. Government have granted 600 acres of land to the Wesleyan Missionary Society for the erection of premises for their missionaries among the Foulahs, *Beecham* 4411, *p.* 538

*Macartney,* Earl. Proclamation made by him, authorizing the landdrosts and magistrates of the different districts of the colony to order the inhabitants to arm themselves against the wild Bosjesmen when requisite, *Dundas* 2761.

*M'Kendree,* Bishop. Extract from his report on the state of the mission among the Wyandots in Ohio in June 1822, *Coates, Beecham & Ellis* 4402.

*M'Murdo,* Lieut. Whether he gave any orders to the seamen to fire on the chief who held Captain Guard's child, *Lambert,* 3824–3829.

*M'Quarrie,* Governor. Efforts made by him while in Sydney, to induce the aborigines to settle in one place, *Broughton* 218–221.——*See* also *Paramatta.*

*Machinery.* See *Flax.*

*Macomo,* Chief. Opinions respecting his character; that of an enterprising young man, *Aitchison* 126, *Cox* 3201, 3202——A most successful plunderer, *Gisborne* 3296——Has more intelligence than other Caffre chiefs, *Cox* 4532–4538, *Read,* jun. 5186, 5187——Possessed of considerable native talent, *Read* 5256, 5257——No chief has so frequently abused the indulgence of the colonial government as Macomo, *Wade* 3558; p. 412——Extract from Mr. Pringle's account of the seizure of Macomo after the missionary meeting in October 1833, *Wade* 3558; *p.* 418–420——Has done all in his power to discourage thefts among his people, *Read,* jun. 5186, 5187——Opinion that he has more reason than other chiefs to complain, he having been removed two or three times from his territory, *Cox,* 4532–4538.

He has been more favoured by the colonial government than any other of the Caffre chiefs, and there is not one who has so frequently abused it, *Wade* 3558, *p.* 413——He would not have been above learning a trade if he had had an opportunity, *Tzatzoe* 4837–4841——Instructions given witness for the purpose of effecting a satisfactory arrangement with him, *Cox* 3194–3196——Evidence respecting his character, and whether any treaty entered into with, would be binding on him, *Stockenstrom* 2383–2389——Very difficult for any person to have relied on a promise or treaty of his, *Gisborne* 3296——The Caffres under his command, and who occupied the Chumie basin in 1830, sent away their families and their cattle to a distance previous to the late war, *Wade* 3496.

His expulsion from the Kat River has been of great advantage to the Hottentots located there, *Spiller* 856——Was expelled from the vallies of the Kat River in 1829, *Wade* 2784——Particulars relative to the removal of the Caffre chief Macomo from the Kat River, *Dundas* 1172–1174, *Gisborne* 3287–3290——Particulars respecting the attack made by him on the Tambooki kraals which caused his expulsion from the Kat River,

*Macomo*, Chief—*continued.*

*Stockenstrom* 965–969——His refusal to give up the cattle taken from the Tambookies, who had taken refuge in the colony, caused his expulsion from the Kat River, *Dundas* 1173——His expulsion from Mankasana was not with a view to provide a suitable location for the Hottentots, but to punish the depredations committed by him and his followers on the colonists, *Spiller* 856–859.

Occupation of the district he was to vacate by Hottentot settlers, was not thought of till three months after his expulsion had been decided upon by the colonial government, *Wade* 2781——Was expelled from the neutral territory under the impression that his tribe had stolen cattle from the colonists, but which was denied in the most positive terms, *Philipps* 912——Great dissatisfaction among the Caffres at the expulsion of the Makoms from the neutral territory, *Shaw* 645. 650, 651——The expulsion of Macomo from the ceded territory was considered by the colonists as a very partial measure, *Spiller* 780–782——The territory taken from him was very extensive; it was taken by violence, *Gisborne* 3282–3284——Is better off under the new arrangement of land than previously, *Cox* 3598.

Letter from him to witness, detailing the injuries inflicted upon his father and himself by the British Government, *Philip* 4473, *p.* 555——Examination relative to the letter addressed by him to witness on the subject of the treatment received from the Europeans; and the authenticity of the same, *Philip* 4508–4521——Opinion that he is not capable of writing such a letter as that read by Dr. Philip, though he might put words together in a manner somewhat similar, *Cox* 4539–4541——Particulars respecting the last interview between Macomo and Dr. Philip, *Stoffel* 5013–5016, *Read*, jun. 5198–5204——Particulars respecting his arrest after the missionary meeting at the Kat River in October 1833, *Read*, jun. 5172–5180——Speech made by him at the missionary meeting at the Kat River in October 1833, *Read*, jun. 5182–5185——Receipts given to him for cattle restored to the colony, *App. p.* 708——Observations by witness in defence of the Chief Macomo, *Philip* 5328; *p.* 631, 632.

*See* also *Birnie*, Major. *Caffre War*, 2. *Cattle*, 4. *Cole*, Sir *Lowry*. *Colonial Government*. *Pringle*, Mr.

*Magistrates.* At the Cape have the power to order farmers on military duties when occasion requires, *Aitchison* 63.

*Mahony*, Mr. Was murdered in his own house by the Caffres at the commencement of the late irruption, *Cox* 2916–2918.

*Malays.* See *South Sea Islands.*

*Mankanjana.* Reason for delivering him up to Dingarn the King of Zoolu, *Gardiner* 4045–4051——He escaped three times from Dingarn into Port Natal, and as often recaptured by the settlers there, and delivered up to Dingarn, *Gardiner* 4059–4062——Was starved to death by order of Dingarn, the King of Zoolu, *Gardiner* 4062.

*Mapassa*, Chief. Evidence respecting his character, and the treaty entered into between him and Colonel Somerset, *Hallbeck* 3044–3063.

*Maritime Countries.* Instruction should be given to naval commanders to treat the native authorities of maritime countries with suitable attention and regard to their laws, *Beecham* 4364.

*Marquesas Island.* The missionaries have commenced their labours at this island but a very short time, *Williams* 5606.

*Marsden*, Mr. Extract of a letter from him to Rev. E. Bickersteth, dated 25 April 1831, on the subject of the interference of Europeans in the wars between native tribes, *Coates* 4348.—*See* also *Paramatta.*

*Marsden*, Mr. *S.* Letter from him to T. F. Buxton, esq., M. P., dated 11 February 1835, on the present state, condition and character of the natives of New Zealand and New South Wales, *Ev. p.* 684, 685.

*Marshall, Wm. Barrett.* (Analysis of his Evidence.)—Assistant-surgeon of His Majesty's ship Alligator on the expedition to recover certain persons detained in captivity by the New Zealanders, and causes of their detention, 3623–3637——Proceedings taken on their arrival at New Zealand, 3639–3644——Interpreters sent on shore; promises made by them to the natives were not fulfilled; natives did not offer any violence to them, 3654–3652——New Zealanders who came on board the Alligator were treated very well in general, 3655–3661——Reason for landing New Zealanders was that the sailors they held in captivity might be released, which was done immediately, 3662, 3663——Seamen that were liberated proved themselves very ungrateful, 3664, 3665——Natives expected that a ransom would be given for, and trade established with them, on delivery up of the captives, 3666–3675.

Evidence respecting the cruelty practised by Capt. Guard towards the New Zealand chief O-o-hit, 3679–3693——Particulars respecting the interview had by witness and Mr. Battersby with the New Zealand Chiefs, on the subject of delivering up the prisoners unconditionally, and proceedings taken by Captain Johnson to compel their delivery, 3694–3739——New Zealanders acted with great kindness to Mrs. Guard, 3713–3716——Feeling of unmixed abhorrence on the part of the Alligator's officers and men at

*Marshall, Wm. Barrett* (Analysis of his Evidence)—continued.

the treatment that Oohit received from Captain Guard and the whole boat's crew, 3716–3718——Common practice among the New Zealanders, when they go to meet their friends, to carry muskets with them, and if loaded they fire them in the air, 3724. 3753–3759——Further evidence respecting the proceedings taken to compel a delivery of one of the captives, and result, 3729–3739.

Evidence respecting the outrages committed by the soldiers on the bodies of those who had fallen in the conflict, 3740–3748——Captain Guard's expressions respecting New Zealanders created great disgust among the officers of the Alligator, 3761–3764——Character of Mr. Battersby as an interpreter, 3766–3767——Order given by Captain Johnson to burn the pahs, in consequence of the natives having commenced firing on the British soldiers, 3768, 3769——Opinion that, in the event of another vessel being stranded there, the natives will retaliate, and put to death every one that falls in their power, 3770, 3771–3776——Hostilities of the natives would not extend towards the Europeans already settled in the island, 3776–3780——Natives brought under the influence of the missionaries have in some measure become moulded into the character of the men with whom they have associated, 3781–3785.

*Martial Law.* The judges of the Supreme Court have given it as their unanimous opinion that the calling out a commando has not the effect of placing the persons composing it under martial law, *Wade* 3558, *p.* 414.

*Massacres.* See *Cook's Straits.*

*Mathematics.* The rudiments of mathematics are taught in the schools at the Kat River settlement, *Read* jun. 5093.

*Mechanical Trades.* Have been introduced by the missionaries among the inhabitants of the South Sea Islands with very great success, *Williams* 5623–5625——Among the Hottentots of South Africa, *Stoffel* 4963——At Bethelsdorf, *Tzatzoe* 4800–4801——Inhabitants work very well at mechanical trades when they are instructed; though they are not what would be considered in England industrious, *Williams* 5657–5659.

*Melville,* Mr. His opinion that the only means of civilizing the savage tribes and preserving peace on the frontier is to encourage the missions beyond the colony, *Philip* 5327, *p.* 628——His appointment as agent of the colonial government in Griqua Town, was the occasion of considerable apprehension among the inhabitants, *Philipps* 5327.

*Melville,* Rev. *John.* Letter from him to Dr. Philip, on the dissatisfaction of the Hottentot troops after the dismission of the burgher force, *App. p.* 710–712——Letter from him, dated 6 June 1834, with observations on the character of Hottentots at Bethelsdorf *App, p.* 742.

*Merchant Vessels.* The conduct of captains and crews of merchant vessels frequenting New Zealand highly demoralizing, *Yate* 1729–1732——Frequent complaints made respecting the bad conduct of the crews of merchant vessels visiting the Friendly Islands, *Coates, Beecham & Ellis* 4307–4309.

*Micmac Indians.* Great numbers of the native tribes of Newfoundland are shot by them; they have got fixed settlements there, *Beecham* 4204.

*Military.* All communications with Caffres are regulated by the military, *Philipps* 346——At the Cape are paid entirely by the Home Government, *Philipps* 930——Military force of no advantage but to those parties who wish to plunder the Caffres of cattle, *Stockenstrom* 1016, 1017——They were continually employed in expeditions into the Caffre country for the purpose of recovering cattle or demanding its restitution, *Dundas* 1183–1186——Is frequently called out on expeditions against the natives, *Gisborne* 3311–3312——No greater number of troops should be employed on the frontier of the Cape, *Bradford* 1474–1488——There are no military on the northern frontier of the colony, *Dundas* 2761——Intention of Government on the expulsion of the Caffres beyond the Keiskamma, that a sufficient military force should be stationed along the frontier for the protection of the British settlers, *Stockenstrom* 2281–2286.

The Hottentots at the Kat River make excellent soldiers, *Spiller* 862——Period when the military entered Caffreland for the purpose of clearing the country and seizing the colonial cattle, *Cox* 3177–3185. 3203–3212——They should not be employed in disputes between colonists and Caffres, unless under the direction of the civil commissioner, *Bradford* 1469——Acted with great forbearance in their attack on Macomo in 1829, *Wade* 3558, *p.* 395——They should only be used to obtain the restoration of stolen cattle when all other means have failed, *Read* 5298–5300——Caffre frontier is at present occupied by the military, *Dundas* 2761——Military force employed in clearing Albany; extent of country cleared, *Aitchison* 192–207.

Extract from a petition presented to the House of Commons from settlers at the Cape respecting the withdrawal of the military from Fredericksburg, and the depredations of the Caffres, *Philipps* 888——The military force at the Cape has been reduced, and the colonists exposed to great danger, *Philipps* 904–907——Evidence respecting the number of troops stationed at any one time during the last ten years on the frontier, *Stockenstrom* 2268–2271——Not sufficient military force at the Cape either to occupy or keep it, *Dundas* 1235——The eastern frontier of the colony must for many years be defended by the military, *Stockenstrom* 2264.

*Military*—continued.

In the present disturbed state of the colony, it is impossible to do without the military, *Stockenstrom* 2378-2381——It would require a very strong military force to prevent an incursion of the Caffres into the colony, in consequence of the fastnesses and ravines with which the country abounds, *Cox* 3574-3581——Their conduct was very mild and forbearing when called out on expeditions against the natives, *Gisborne* 3311——A small military detachment being placed at the disposal of the British resident at New Zealand would be attended with great advantage, *Trapp* 3939, 3940——New Zealanders would very readily believe that it was for their protection, and for the preservation of order amongst the Europeans that the military were placed there, *Trapp* 3951, 3952——Evidence respecting the outrages committed by the soldiers on the bodies of New Zealanders who had fallen in the conflict, *Marshall* 3740-3748.

*See* also *Colonists. Flinder's Island.*

*Military Posts.* Should be established between the recently acquired territory and the Caffres for the defence of the frontier, *Spiller* 863, *Shaw* 1070——Number of military posts that are to be established on the frontier to prevent the incursions of the Caffres; number of troops necessary to be employed; extent of country over which they are to be employed, *Cox* 3586-3594.——*See* also *Guatana. Neutral Territory.*

*Military System.* See *Caffres*, 5. *Cattle*, 1.

*Mimosa Tree.* The gum that exudes from the mimosa tree is given in exchange for articles of British manufacture by the Caffres, *Shaw* 1128.

*MISSIONARIES:*

1. *Generally.*
2. *Influence possessed by them over Native Tribes.*
3. *Opinions as to their Interference with Political Matters.*
4. *Result of their Labours among the Native Tribes.*
5. *Native Missionaries.*

1. *Generally:*

Opinion that the disputes between the Caffres and the British Government have been chiefly caused by the interference of the missionaries, *Aitchison* 140-147, *Dundas* 1250-1255——Class of persons composing those in the colony, and how supported, *Aitchison* 172-175——They were not aware of the intention of the Caffres to attack the colony, *Shaw* 652-659——During the late war the houses of the missionaries were invariably burnt by the natives, and every indignity they could heap was thrown on the memory of them, *Beresford* 2534-2537——No attempt made by Caffres to cut off the escort sent to bring the missionaries and traders from Caffreland in 1835, though they made a display of their intention, *Cox* 2836-2842——Not any of them had been murdered, though some of the traders had previous to the arrival of the escort in 1835, *Cox* 2857-2865.

They hold no land but what has been purchased of the natives, and manner of paying for it, *Yate* 1608-1612——In the South Sea Islands the missionaries hold their land during the pleasure of the chiefs or native proprietors, *Coates, Beecham & Ellis* 4328——An increase in the number of missionaries would be very acceptable to the natives of New Zealand, *Trapp* 3960-3962——Witness has been endeavouring to obtain the sanction of the King of the Zoolah country to permit missionaries to establish themselves in his country, *Gardiner* 3969-3972. 3978, 3979——Particulars respecting an outrage committed on the house of the missionary at the island of Maui, by the crew of the ship Daniel, of London, *Coates and others* 4328——Extract of a letter addressed to the American Board of Commissioners for Foreign Missions, from the missionaries in the Sandwich Islands, on the subject of the outrage committed by the crew of the ship Daniel, on the house of the missionary at the island of Maui, *Coates and others* 4328, *p.* 499, 500——Extract from Stewart's Journal of a residence in the Sandwich Islands, during the years 1823, 1824 and 1825, on the same subject, *Coates and others* 4328, *p.* 500——Extract of a letter from the Rev. H. Bingham to the Rev. W. Ellis, dated 5th November 1835, on the same subject, *Coates and others*, 4328, *p.* 501.

Witness never experienced kindness from other Europeans than missionaries, *Stoffel* 5074-5078——No reason assigned by the governor of the Cape for refusing to allow missionaries to return to the Kat River, *Read*, jun. 5167-5171——Since the restoration of tranquillity on the frontier they have, with the exception of witness and his father, been permitted to return to their former residences, *Read*, jun. 5209-5214——Subject to great privations previous to the location of the Griquas in their present situation, *Philip* 5327, *p.* 620——Encouragement should be afforded to the efforts already made by them, *Hodgkin* 5338——Those at the Sandwich Islands are from America, *Williams* 5643-Number of missionaries in the South Sea Islands, *Williams* 5660——Circular addressed by Dr. Philip to the different missionaries at the breaking out of the war, *App. p.* 709.

2. *Influence possessed by them over Native Tribes:*

Influence possessed by them over the Caffres, *Philipps* 322*, 323*. 386-391——Without missionary influence it would have been impossible in 1824 for the colonial authorities to obtain friendly interviews with the border chiefs, *Shaw* 1062——Influence possessed by them over the Caffres and Griquas very great, and that influence was beneficially exerted during the late disturbances, *Stockenstrom* 1072-1075; *Shaw* 1105, 1106

*Missionaries.*—2. *Influence possessed by them over Native Tribes*—continued.

——Opinion expressed by Mr. Melville, in his communications to Government, that it was missionary influence alone that preserved peace between the colony and the tribes beyond it, *Philip* 5327, *p.* 610——They have been very influential in preserving the lives and property of individuals during the late war, *Gardiner* 4108–4113.

Opinion of Hottentots and Caffres that they are under great obligations to the missionaries for protecting them against the aggressions of other Europeans, *Stoffel* 5047, 5048. 5055–5058, *Read*, jun. 5188–5190——Moral influence acquired by the missionaries over some of the New Zealanders very great, *Marshall* 3783——Influence of missionaries very materially lessened from interfering in temporal matters, *Philipps* 426, 427——Those sent to Great Namaqualand were murdered by persons wishing to become possessed of their property, and not at the instance of the chiefs, *Coates, Beecham & Ellis* 4402*——One of the missionaries belonging to the Methodist Missionary Society, for advocating the cause of the Indians against the Georgian government, was imprisoned, and otherwise maltreated, *Beecham* 4402, *p.* 536——Those stationed at the Chumie were not afraid of the chiefs, but of the marauding Caffres who were about in the colony, *Read*, jun. 5142.

3. *Opinions as to their Interference in Political Matters:*

Frequent instances of missionaries being employed as agents in communications with the native chiefs, *Shaw* 1107, 1108——The benefit effected by them is more of a political than a religious nature, *Stockenstrom* 1557–1562——Opinion that some of those at the Cape attend more to political than spiritual subjects; some of them are very dissatisfied with the colonial government, *Spiller* 825–833——No objection to their corresponding with the civil authorities on political matters, *Stockenstrom* 1570, 1571——They unfit themselves for their religious duties by taking either a diplomatic or political character, *Donkin* 5456, 5457——They should not be employed in any political character within the colony, *Stockenstrom* 1572–1578. 1580——It is not necessary they should have political power vested in them, *Yate* 1784, 1785—— They ought not to have the power of inflicting civil punishment on persons attached to their institutions, *Stockenstrom* 2361–2363.

Evidence respecting the interference of missionaries in making peace between the natives and those who had injured them, *Yate* 1597–1607——Instances of their being called on to exercise their influence in making peace between contending tribes, and beneficial results, *Yate* 1613–1631——They have not been employed in any way by Government to hold communications with the native tribes, *Wade* 2780——Opinion that it is the duty of missionaries before giving advice (which is capable of misinterpretation) to uncivilized tribes, to use all the means in their power with their own government, *Wade* 3519, 3520. 3527——Evidence respecting certain proceedings taken by them with regard to the late irruption, *Wade* 3546–3557——There are situations that render it impossible for missionaries to confine themselves entirely to the spiritual instruction of the natives in the British settlements, *Gardiner* 4108.

4. *Result of Labours among the Native Tribes:*

Progress made by them in learning the Caffre language very great, *Philipps* 418–427——Nature of the attempts made by them for the improvement and conversion of the Caffres, *Shaw* 607–609——Great deal of good has been done by those at the Cape stations, on the frontier and the colony, *Dundas* 1148–1155——Those stationed in New Zealand have made considerable progress in disseminating Christianity among the natives, *Trapp* 3954–3959——Labours of the present missionaries have made some impression on the Caffres, but not equal to that made by those of the late Mr. Williams, *Tzatzoe* 4667–4676——The Jesuit missionaries took considerable pains to instruct and civilize the natives of Paraquay, and beneficial effects therefrom, *Natterer* 4264–4266——Opinion that their labours among the natives will be attended with real and lasting benefits, *Rutherford* 4188–4190——The Wesleyan missionaries have done more at the Cape than could possibly be expected, while those further to the north have no influence over the minds of their hearers, *Dundas* 1291–1296——Efforts of the missionaries in Caffreland have not been attended with that success as was anticipated, *Gardiner* 4103–4107.

5. *Native Missionaries:*

They make admirable pioneers to prepare the way for the more efficient labour of the European missionary, *Williams* 5661–5665——Manner in which they are supported; nature of the instruction given them, *Williams* 5666–5668——Previous to their being sent out are placed under a course of instruction in the useful arts, *Williams* 5667.

*See* also *Caffre Language. Caffre War*, 3. *Civilization. Cole*, Sir *Lowry. Namaqualand, Great. Tahiti Islands. Tapuing.*

*Missionary Societies.* See *Government Grants. Also* the different Missionary Societies under their respective Names.

*Missionary Stations.* The formation of, among the Caffres has been attended with very beneficial results, *Philipps* 356–368, 371–375, *Dundas* 1148——Have been formed beyond the British territories, and manner accomplished, *Stockenstrom* 1932–1935——Number of them has increased in Albany, *Shaw* 610–615——In the immediate vicinity of the missionary establishments in Caffreland, civilization had made but little progress,

*Missionary Stations*—continued.

*Gisborne* 3362——No instance of Caffres belonging to the Wesleyville Missionary Institution having joined their countrymen in the late irruptions, *Shaw* 704——Tracts of land should be granted to missionary societies for the formation of missionary settlements and school establishments, *Shaw* 1070——Number of, belonging to the Moravian Missionary Society in South Africa, *Hallbeck* 3004——Reason why other missionary stations which witness has visited are not so well organized as those belonging to the Moravian Missionary Institution, *Hallbeck* 3166-3171. 3173-3176——During three circuits of the judges there was only two cases from the missionary stations, and those not of an aggravated character, *Philip* 5428.

*See* also *Caffres*, 2. *Gnadindahl*. *Hottentots*, 4. *Infant Schools*. *Land*. *Leper Institution*. *Native Tribes*, II, 1. *Orange River*. *Polygamy*. *Schools*.

*Mohawks*. See *New England Company*.

*Morality*. The morals of the native inhabitants of British settlements has been injured from their coming in contact with Europeans, *Coates, Beecham & Ellis* 4290-4296, *Hodgkin* 5354-5364.——*See* also *Africa*, Southern. *Chippewa Indians*.

*Moravian Missionary Society*. The Moravians were the principal promoters of Christianity among the Hottentots, *Dundas* 1150——The missionary establishment formed by them at Gnadindahl is a very useful establishment, *Dundas* 1151——Number of missionary stations in South Africa belonging to this society, *Hallbeck* 3004.

*See* also *Missionary Stations*. *Religious Instruction*. *Servants*. *Tambookies*.

*Mullers*. Those living on the frontier always keep on good terms with the Caffres, *Gisborne* 3438——They left their horses and cattle in Hintza's country to fatten, previous to the late war, *Gisborne* 3439.

*Municipal Government*. A well organized system of municipal government would tend very much to the improvement of the native tribes, *Philipps* 957.

*See* also *Cape of Good Hope*.

*Murders*. By Caffres, increased in 1822 to a very alarming extent; causes which led to, and steps taken to prevent them, *Philipps* 314*-316*——Several murders have been committed upon the beach at Kororaka, in which the natives have been killed by Europeans, *Yate* 1664——Instance of a murderer being given up by the Caffres to the colonial government, who was tried and executed at Fort Willshire in the presence of several Caffre chiefs, *Wade* 3558, *p.* 416——Two of witness's men murdered by the natives of Newfoundland, while witness was exploring the source of the River Exploits, *Bucham* 4197, 4198——Hottentots not being admitted to an oath, one of the causes assigned for the murders which had been committed by the boors, not being punished, *Read* 5235——The supreme courts at the Cape of Good Hope will not take cognizance of murders committed by colonists beyond the boundaries of the colony, *Philip* 5327, *p.* 626.

*See* also *Brown*, Mr. *Caffres*, 1, 2. *Chaka*, King of Zoolah. *Convicts*. *Fairman*, Lieut. *Farewell*, Lieut. *Henderson*, Mr. *Imprisonment*. *Mahony*, Mr. *Namaqualand, Great*.

*Muskets*. See *Arms*.

N.

*Namaqualand, Great*. Furnishes evidence of the civilizing effects which follow the Gospel, *Beecham* 4402——Missionaries sent to Great Namaqualand were murdered by persons wishing to become possessed of their property, and not at the instance of the chiefs, *Coates, Beecham & Ellis* 4402*-4404——The views of the Great Namaqua nation on religion and the Deity are very vague and absurd, *Coates, Beecham & Ellis* 4405-4407——Extract from letter addressed to the secretaries of the Wesleyan Missionary Society by the Rev. Edward Cook, dated 4 November 1835, containing a plan for encouraging the civilization of the Great Namaqua nation, *Coates, Beecham & Ellis* 4411, *p.* 537. 538.

*See* also *Water*.

*Namaquas, Little*. General laws and regulations drawn up for the use of the inhabitants of Little Namaquas, *Coates, Beecham & Ellis* 4402*.

*Natal*. See *Port Natal*.

*National Intercourse*. It is possible to maintain intercourse between civilized and savage nations without resorting to force, and taking possession of their territories, *Bates* 4464-4467.

*Native Missionaries*. See *Missionaries*, 5.

*Native Teachers*. Extract of a letter from Mr. Davis in 1831, on the subject of the assistance afforded the missionaries of New Zealand by the native teachers, *Coates, Beecham & Ellis* 4382, *p.* 524—— Extract from Mr. King's journal on the same subject in 1832, *Coates, Beecham & Ellis*, 4382 *p.* 524——Extract from the Rev. W. Williams' journal on the same subject, *Coates, Beecham & Ellis* 4382, *p.* 524——Are employed in giving instruction in the schools at the Kat River settlement, *Read*, jun. 5094, *Read* 5235——Are found in provisions by the people with whom they are stationed, *Read*, jun. 5105.

*Native Tribes:*

I. *Generally.*

II. *In particular Colonies:*

1. In Caffreland.
2. In Newfoundland.
3. At Port Natal.
4. In Sydney.
5. In New Zealand.

III. *Decrease in their Numbers, and Causes which have led to it:*

1. Generally.
2. The Introduction of Fire Arms.
3. The Communication of European Diseases.
4. The Use of Ardent Spirits.

IV. *Suggestions for Improving their Condition.*

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Opinion that natives in every part of the world are capable of receiving instruction, *Williams* 5709——Their removal from the spots where they are supposed to be suffering has not been attended with any advantages, *Hodgkin* 5348——The principles of justice have not in every case been observed by Europeans towards the natives, *Young* 5533, 5534——Witness has paid great attention to the condition of the aborigines in various parts of the globe, but more particularly to the North-American Indians, and sources from which witness has derived his information, *Hodgkin* 3865–3870——Those in the neighbourhood of Essequibo have not benefited from their intercourse with Europeans as regards the Portuguese, *Natterer* 4243–4246.

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1. In Caffreland:

The confidence of the Caffres in the British Government very much diminished of late years, *Philipps* 376–380——Caffres are possessed of sufficient intellect and powers of mind to be able to understand and reason upon what they hear, *Shaw* 1069——Within the limits of their own tribe the rights of property are held sacred, *Shaw* 1129——Can only be dealt with through their chiefs, *Yate* 1648——Ordinance issued by General Bourke for the admission into the colony of persons belonging to the native tribes beyond the frontier, *Wade* 2770——Evils arising from the ordinance permitting the natives to enter the colony for the purposes of trade, *Wade* 2776——Number of, belonging to the missionary stations in South Africa, *Hallbeck* 3004–3006.

2. In Newfoundland:

Instances of great cruelty having been exercised by Europeans and settlers towards the natives in Newfoundland, *Bucham* 4207–4209——Fifty years ago they were frequently seen in the neighbourhood of St. John's, though of late years they have been confined to one particular spot, *Bucham* 4213–4215——English settlers were treated with great hostility by the natives on their first arrival at Newfoundland, *Bucham* 4216–4218——Number of aborigines in the immediate vicinity of the Great Lake, *Bucham* 4192–4196——Manner in which the natives of Newfoundland support themselves, *Bucham* 4226–4228. 4232.

3. At Port Natal:

Great many of the natives living at Port Natal had ran away from the Zoolah country, *Gardiner* 3976——Reason those who had fled from the Zoolah country took refuge at Port Natal, *Gardiner* 3990.

4. At Sydney:

Present condition of the aborigines of Sydney one of extreme degradation and ignorance; supposed number; manner employed, *Broughton* 212–217, 232–239——Condition of the native tribes in Sydney much more deteriorated than those of New Zealand, in consequence of the influence possessed by the convicts of New South Wales over them, *Yate* 1787–1792——Evidence respecting the character and disposition of the native tribes of Sydney, *Broughton* 223–225. 275–278——Condition of the natives in Sydney has been much neglected by Government, *Yate* 1802–1822——Extract from the charge of Archdeacon Broughton to the clergy of New South Wales and Sydney, on the condition of the native inhabitants of the country, *Broughton* 228, *p.* 15.

5. In New Zealand:

Aborigines of New Zealand far superior in mental and moral and physical powers to those of New South Wales, *Yate* 1854, 1855——No difficulty in bringing the natives of New Zealand to a conference, *Yate* 1648——The native tribes would assist in the apprehension of runaway seamen and convicts, *Yate* 1658–1661——Manner in which the natives of New Zealand employ themselves when not engaged in war, *Yate* 1751.

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III. *Decrease in their Numbers, and Causes which have led to it:*

1. *Generally:*

Their intercourse with the Europeans has been productive of great evil, *Broughton* 240–252, *Hodgkin* 3890–3905, *Young* 5535–5539——Very great decrease in their numbers, *Broughton* 259, 260, *Hodgkin* 3890. 3894, 3895. 3904, *Coates, Beecham & Ellis* 4320. 4328. 4337, *Bates* 4443, 4444, *King* 5403. 5370–5378, *Williams* 5612——Causes which operated to the diminution of the numbers of the natives on the boundary of Upper Canada, *Coates and others* 4320–4322——Injurious effects arising from Europeans coming into contact with the native inhabitants of the British settlements, *Coates and others* 4329–4342—Of New Holland, *Coates, Beecham & Ellis* 4279–4289—Of New Zealand, *Trapp* 3930–3936—Of Southern Africa, *Hodgkin* 3890–3905, *Young* 5535–5539——In all disputes between them and Europeans the act of aggression has been on the part of the latter, *Yate* 1692–1694, *Coates and others* 4328. 4343.

2. *From the Introduction of Fire-arms:*

Decrease in their numbers caused by the introduction of fire-arms and European implements of destruction, *Hodgkin* 3902, 3903. 5354–5364, *Coates, Beecham & Ellis* 4327, 4328. 4333–4335, *Beecham* 4416.

3. *The Communication of European Diseases:*

Decrease in their number caused by the introduction of European diseases: In Sydney and New South Wales, *Yate* 1840—In North America, *Hodgkin* 3904. 5354, *King* 5380. 5403, 5404—In the British settlements, *Coates, Beecham & Ellis* 4328. 4333. 4416—In the South Sea Islands, *Williams* 5612, 5613. 5617.

4. *The use of Ardent Spirits:*

The introduction of spirits by Europeans has tended in a great measure to lessen the number of natives at the British settlements, *Broughton* 244. 252, *Gisborne* 3453–3456, *Coates, Beecham & Ellis* 4328. 4334, *Bates* 4435, *Hodgkin* 3890. 5354–5364, *King* 5378–5380. 5403, 5404, *Williams* 5770.

IV. *Suggestions for Improving their Condition:*

Suggestions with regard to the general treatment of the aboriginal inhabitants of countries with which we are connected, *Bannister* 1527–1537——Statement of certain measures which appear indispensable towards ensuring justice to the aborigines of the colonies, *Shaw* 663–665, *Bradford* 1469. *Bannister* 1537, *p.* 174, 175—Cape of Good Hope, *Gardiner* 4141–4145—New Holland, *Coates, Beecham & Ellis* 4365—New South Wales, *Bannister* 1533, *p.* 177, *Yate* 1823—New Zealand, *Bannister* 1533, *p.* 177, *Coates, Beecham & Ellis* 4348–4364—Sydney, *Broughton* 281–295——Necessity for some person to reside among the aborigines to act as umpire in any disputes between them and the settlers, *Stockenstrom* 1568, 1569——Measures taken to ameliorate their condition have failed from the impossibility of inducing them to settle in one place, *Broughton* 218–231——Letter from Mr. S. Marsden to T. F. Buxton, esq., M.P., dated 11 February 1835, on the present state, condition and character of the natives of New Zealand and New South Wales, *Ev. p.* 684, 685——Former efforts to introduce Christianity among the natives of Sydney failed from the want of encouragement; sum allowed by Government for that purpose, and beneficial effects expected therefrom, *Yate* 1793–1801.

*See* also *Agents. Canada, Upper and Lower. Cape of Good Hope. Civilization. Clothing. Colonists. Colonization. Convicts. Deer Hunting. Diseases. Education. European Costume. European Intercourse. Government Grants. Morality. Paraguay. Paroquets. Polygamy. Presents. Pringle, W. Red River. Scott,* Archdeacon. *Stewart,* Captain. *Threlkeld,* Mr. *Vagrancy. War.*

*Natterer,* Dr. *John.* (Analysis of his Evidence.)—Naturalist sent from the Emperor of Austria, and resident in South America about 16 years, 4235–4240——Natives in the neighbourhood of Essequibo have not benefited from their intercourse with Europeans as regards the Portuguese, 4243–4246——Number of the natives, as regards the Brazils, have diminished, 4247. 4261–4264. 4268——Considerable traffic carried on between the native tribes and the colonists of British Guiana in slaves, 4249–4257——The Jesuit missionaries took considerable pains to instruct and civilize the natives of Paraguay, and beneficial effects therefrom, 4264–4266——Indians will not work without some stimulus, 4266–4267.

*Natterer,* Dr. His opinion that the Indians of South America are not likely to derive benefit from their civilized neighbours, without further efforts being made, *Hodgkin* 3909.

*Naval Force.* The occasional visits of a ship of war to the coast of New Zealand would tend materially to support Mr. Busby, and to forward the object for which he was stationed there, *Coates* 4348——A small naval force should be placed at the command of

*Naval Force*—continued.

the British resident at New Zealand, *Trapp* 3939, 3940——To the South Seas would improve the intercourse between the natives and Europeans, *Williams* 5598–5600.

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*Navigators' Island.* Missionary labours have just been commenced there, *Williams* 5606.

*Neutral or Ceded Territory.* Motive for declaring the space between the Keiskamma and the Great Fish River the neutral territory, *Aitchison* 33, 34——Opinion that the Hottentots were the original possessors of it, though the Caffres had obtained it from them by physical force, *Aitchison* 44–46——Doubts as to the title of Gaika to the ceded territory, it never having been the property of his ancestors, but the property of the Hottentots, *Dundas* 1201–1204——Particulars respecting the removal of certain Caffre tribes from the neutral territory; distress consequent thereon, *Aitchison* 115–136——Agreement made with Gaika, on fixing the boundaries of the colony, and the Caffres, that the ceded territory should not be occupied by the boors or the Caffres, *Aitchison* 28–32. 41–43——Arrangement entered into between Gaika and Sir Rufane Donkin, relating to the occupation of the ceded territory by British settlers, *Stockenstrom* 587–594——Treaty between Lord Charles Somerset and the Caffre chiefs, respecting the neutral ground between Fish River and the Keiskamma, was violated by the colonial government, *Blakeman* 1352–1362.

Statement relative to the violation of the neutral territory in 1820, *Parker* 460–491——Suggestions for occupying the ceded territory, on removing the boundary of the colony as far eastward as the Kye River, *Shaw* 1070, 1071——The northern part of it was, after the treaty with Gaika, occupied by a portion of boors, *Aitchison* 35——Great deal of bad feeling in consequence of allowing Caffres to inhabit neutral territory, *Aitchison* 41–43. 115–136, *Stockenstrom* 965——Possession of, ceded to the Caffres on condition of their good behaviour, *Shaw* 628–634, *Stockenstrom* 965——Permission given to Caffres to graze their cattle there on certain conditions, *Philipps* 912——Allowing the proposal of Sir Rufane Donkin for colonizing the ceded territory to be carried into effect, would have afforded greater security to property on the frontier, *Dundas* 1195–1199——Opinion among the Caffres that Dr. Philip would be able to obtain for them the ceded territory, *Wade* 2781——The establishment of a military chain of posts on the neutral territory was a most excellent measure, *Philipps* 884–886.

The British were only allowed to occupy it for military purposes, *Aitchison* 57——Reason for locating the Hottentots there, *Stockenstrom* 969——Terms upon which settlers and others were located on the ceded territory, *Stockenstrom* 984——No assignment of the new territory had been made when witness left the colony in February, *Cox* 3559–3561——Great objection of the Caffres to the ceded territory was that it kept a space between them and the colonists, *Cox* 3585——The Wesleyan Missionary Society disapprove of the occupation of the neutral territory by Europeans, *Coates and others* 4311–4314——Caffres were driven across the Keiskamma out of the neutral territory in 1818 or 1819, *Philip* 4482, 4483——Caffres never gave the ground to the English; they took it without the consent of the chiefs, *Tzatzoe* 4625, 4626. 4628——Should be divided into sections or townships, and part thereof to be granted to those Caffres willing to become tributary to the British, *Shaw* 1070.——*See* also *Boundaries. Cole*, Sir *Lowry. Smuggling.*

*New England Company.* The funds of this institution might probably be turned to some more useful purpose than they are at present with respect to the civilization of the North American Indians, *Hodgkin* 5342——Was formed before the separation of the United States from this country, for the express purpose of benefiting the Mohawks and some other tribes, *Hodgkin* 5344.

*Newfoundland.* Witness was employed under the direction of Sir John Duckworth, in 1811, in endeavouring to open a communication with the aborigines of Newfoundland, *Bucham* 4191——No attempt had been made to open a communication with the natives of Newfoundland previous to that made by witness, *Bucham* 4219–4224. 4229, 4230——Tribe with which witness endeavoured to communicate are entirely exterminated, *Bucham* 4204–4206——Opinion that there are no aborigines remaining in Newfoundland at the present time, and reason for that opinion, *Bucham* 4210, 4211——Amount of European population of Newfoundland in 1828, *Bucham* 4212.

*See* also *Gambier*, Lord. *Native Tribes*, II, 2.

*New Holland.* See *Holland*, New. *Prostitution. Stockmen.*

*New South Wales.* The governor of New South Wales should be authorized to punish crimes committed by British subjects in New Zealand and the Islands of the Southern Sea, *Coates* 4348——Extract from the Journal of the Rev. Mr. Watson, respecting the condition of the aborigines of New South Wales, since their intercourse with Europeans, *Coates, Beecham & Ellis* 4280–4288, *p.* 487, 488——The rights of the natives of New South Wales have never been considered in the extension of colonization there, *Coates, Beecham & Ellis* 4298–4306——Letter from Mr. J. D. Lang to T. F. Buxton, Esq. M. P. dated 10 June 1834, on the condition of the aborigines of New South Wales, and suggestions as to the course to be pursued towards them, *Ev. p.* 682–684——The failure of civilization in New South Wales was not caused by any incapacity on the part of the people for retaining instruction, but to the deficient means used for the purpose of giving and following up that instruction, *Williams* 5707–5711.

*See* also *Infanticide. Native Tribes*, II, 5. IV. *Spirits. Threlkeld*, Mr. *Tobacco.*

*NEW ZEALAND:*

1. *Generally.*
2. *Population, and Character of its Inhabitants.*
3. *Suggestions for Improving the Condition of the Natives.*
4. *New Zealand Chiefs.*

1. *Generally:*

The New Zealanders make no objection to Europeans settling there, if they are disposed to purchase land, *Yate* 1689——It is not in the power of Europeans to commit acts of aggression upon the natives of New Zealand; they are not sufficiently numerous, *Trapp* 3930——There is no doubt that other powers have at different times contemplated obtaining an ascendancy in New Zealand by colonizing it, *Coates* 4366——It is unquestionably the key to India on one hand, as the Cape of Good Hope is on the other, *Coates* 4366.

2. *Population, and Character of its Inhabitants:*

Population of the northern island of New Zealand, and character of its inhabitants, *Yate* 1597-1607——Number of British subjects there, *Yate* 1671, 1672——Natives of New Zealand did not offer any violence to the interpreters sent to demand the prisoners detained by them, *Marshall* 3645-3652——Those who went on board the Alligator were treated kindly by the officers, *Marshall* 3660——Reason for landing them was, to procure the immediate release of the seamen, which was done accordingly, *Marshall* 3662, 3663——Opinion that in the event of another vessel being stranded there, the natives will retaliate for the outrages committed on them, and put to death every one that falls in their power, *Marshall* 3770, 3771, 3776.

It is a common practice among New Zealanders, when they go to meet their friends, to carry muskets with them, and if loaded, to discharge them in the air, *Marshall* 3724, 3753-3759, *Lambert* 3811——General opinion among them that Europeans are all connected with each other, and for an injury inflicted by one vessel, they will seek revenge on the vessel following it, *Williams* 5600——They are a strong powerful race, very courageous and very intelligent, *Trapp* 3945-3950——Natives brought under the influence of the missionaries have, in some measure, become moulded to the character of the men with whom they have associated, *Marshall* 3781-3785——Natives of New Zealand are very much attached to their chiefs, *Trapp* 3949——The New Zealand tribes are incapable of appreciating those principles by which international communication is governed in European countries, *Coates* 4348——Injurious effects produced on the natives of New Zealand from their intercourse with Europeans, *Trapp* 3930-3936——Principal employment of British subjects in New Zealand, *Yate* 1710-1714.

3. *Suggestions for Improving the Condition of the Natives:*

The British resident there not armed with sufficient powers; nature and extent of those that should be granted, and beneficial effects that would be derived therefrom, *Yate* 1642-1676——Want of competent courts of justice there; and suggestions thereon, *Yate* 1680-1687——Measures which appear to witness indispensable towards ensuring justice to the aborigines of New Zealand, *Bannister* 1533, *p.* 175——Evidence relative to the proceedings of the Church Missionary Society in New Zealand, *Coates, Beecham & Ellis* 4376-4382——Suggestions for promoting the security and the protection of the natives of New Zealand, *Coates, Beecham & Ellis* 4348-4364——Extract from a letter of the Rev. W. Yates, dated 2 January 1833, on the subject of the translation of the Scriptures into the New Zealand language, *Coates, Beecham & Ellis* 4382, *p.* 523——Also extract of a letter from Mr. William Colenso, dated 16 March 1835, on the same subject, *Coates, Beecham & Ellis* 4382, *p.* 523.

4. *New Zealand Chiefs:*

Particulars respecting the interview had by witness and Mr. Battersby, the interpreter, with New Zealand chiefs, on the subject of unconditionally delivering up seamen detained by them, *Marshall* 3694-3739——Evidence respecting the attack made by Captain Guard on a New Zealand chief, and nature of the wounds inflicted on him, *Lambert* 3799-3806——Evidence concerning the death of the chief who refused to deliver up Captain Guard's child without a ransom, *Lambert* 3822-3831——The seizure of the chief was the only means of obtaining the delivery up of the prisoners, *Lambert* 3853-3856——They are extremely friendly to this country, and well prepared to receive influence from representations made to them by competent authorities, *Coates* 4348-4366 Particulars respecting the detention of a New Zealand chief and his family by Messrs. Weller & Co. of Sydney, as hostages for the safety of the crews of their whaling establishment, *Ev. p.* 681.

*See* also *American Vessels. Church Missionary Society. Civilization. English Settlers. Flax. Guard,* Captain. *Guard,* Mrs. *Missionaries. Native Tribes,* II, 5. III, 1. IV. *O-o-hit,* Chief. *Pahs. Police. Polygamy. Population. Printing Presses. Salt Meat. Seamen. Ships of War. Slavery. Spirits. Stockades. Tapuing. Thierry,* Baron de. *Traders. Weller,* Messrs. *Whalers.*

*Nizam of Hyderabad.* No soldier permitted to enter Nizam's country in pursuit of robbers, but civil police are employed under the direction of the civil magistrate, and good effects therefrom, *Bradford* 1472.

*Normal Schools.* The establishment of Normal schools at Graham's Town particularly recommended; one intended to have been established, but delayed from local difficulties and the rupture between the Caffres and the colony, *Shaw* 700–704——The committee of the Wesleyan Missionary Society just previous to the war had voted a considerable sum of money for the formation of a Normal school at Wesleyville, *Beecham* 4402, *p.* 532——Has been established at Philipstown under the superintendence of the London Missionary Society, *Read,* jun. 5095, 5096.

*North American Indians.* The introduction of fire-arms and dispossessing them of their land have diminished their numbers, *Hodgkin* 3902. 3910. 3915–3920——Their intercourse with the British and Americans is in some respects different, though the result has been the same, *Hodgkin* 3910.——*See* also *Arms. New England Company.*

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*Offences.* See *Petty Offences.*

*Official Patrons.* See *Agents.*

*Oldham Whale Ship.* Particulars respecting its seizure by the inhabitants of Wallace's Island, and causes which led to it, *Williams* 5595.

*Omsinpoobo River.* Description of the country in the neighbourhood of this river, *Gisborne* 3369.

*O-o-hit Chief.* Evidence respecting the cruelty practised by Captain Guard towards him, *Marshall* 3679–3693, *Lambert* 3799–3806——Feeling of unmixed abhorrence expressed on the part of the officers and men of the Alligator at the treatment he received from Captain Guard and the whale-boat's crew, *Marshall* 3716–3718, *Lambert* 3832–3834.

*Oparo,* Island of. A disease was introduced there by the crew of a vessel (not attributable to any vicious conduct on the part of the crew), which reduced the population above half, *Williams* 5614, 5615.

*Orange River.* Great number of boors and farmers are now inhabiting the sources of the Orange River and beyond it, *Cox* 3610, 3611——Letter from the Rev. E. Cook to the secretaries of the Wesleyan Missionary Society, dated 4th November 1835, on the advantages possessed by this river for the formation of a missionary settlement, *Coates, Beecham & Ellis* 4411, *p.* 537, 538.

*Ordinances.* That passed by Lord Caledon, while governor of the Cape, very materially altered the condition of the Hottentots, *Dundas* 1146, 1147——Nature of that passed by General Bourke for the emancipation of the Hottentots, and beneficial effects, *Dundas* 1147, *Wade* 2781——Ordinance issued by General Bourke for the admission into the colony of persons belonging to the native tribes beyond the frontier, *Wade* 2770——Evidence respecting those passed for allowing Caffres and other native tribes to come into the colony as settlers; causes which led to their revisal, *Philipps* 392–395. 405–410——The passing the 50th ordinance gave great satisfaction to the Hottentots, *Stoffel* 5026, *Read,* jun. 5219–5223——Wherever the 50th ordinance has been carried into effect the most beneficial effects have resulted from it, *Philip* 5416–5426.
*See* also *Vagrant Act.*

*Otters:* Very valuable game to the natives of British America, but they are remarkably shy, *Beecham* 4320.

*Oxen.* Number of oxen stolen from the colonists between November 1829 and September 1829 by the Caffres, *Wade* 2773——Average value of oxen in Caffreland, *Tzatzoe* 4593, 4594.

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*Pacaltsdorp.* Correspondence between the magistrate of George and the Rev. William Anderson, on the subject of the number of Hottentots located there, *App. p.* 736——Memorial of Hottentots and free people of colour at the missionary institution of Pacaltsdorp against the passing the ordinance for the suppression of vagrancy, *App. p.* 742–745.

*Pacific Ocean,* Islands in. Evidence respecting the islands in the Pacific Ocean that have been christianized; those partially so; and those remaining in their original state, *Williams* 5602–5609.

*Pahs.* They are rude kind of fortifications belonging to the New Zealanders, *Marshall* 3694, 3695——Reasons which led to their destruction, *Lambert* 3808–3821——Suggestion of Captain Guard to commence firing on the pahs without endeavouring to obtain the liberation of the prisoners by treaty, *Lambert* 3845.

*Paramatta.* School established there for the education of children under the direction of Governor Macquarrie and Mr. Marsden, *Williams* 5699.

*Paraguay.* Natives of Paraguay have increased in number since they have been visited by the Jesuit Missionaries, *Natterer* 4264.——*See* also *Missionaries*, 4.

*Parker, William.* (Analysis of his Evidence.)—Resident at the Cape of Good Hope for two years, 453-459——Statement relative to the violation of the neutral territory in 1820, 460-491——Conditions under which witness was induced to emigrate; manner in which they were performed, 492-518.

*Parliamentary Grants.* See *Government Grants.*

*Paroquets.* Natives of the Brazils exchange yellow paroquets with the inhabitants of British Guiana for fire-arms, powder and shot, *Natterer* 4253.

*Passes.* After 1812 no Caffre was allowed to appear on the right bank of the Fish River without a pass under very heavy penalties, *Dundas* 1175-1178——The Fingoes were in the habit of travelling between Caffreland and the Cape without passes, *Read*, jun. 5224——Witness was not aware till lately of any order prohibiting Caffres from coming into the colony without a pass, and examination thereon, *Read*, jun. 5224-5227, *Read* 5259-5272——Letters from the Rev. W. Anderson to the magistrate of George on the subject of passes, *App. p.* 734.
*See* also *Anderson*, Rev. *William. Fingoes. Labourers. Read*, Mr.

*Passie's Kraal.* Instructions to the officer commanding the patrol proceeding to Passie's kraal, dated 1 August 1830, for the purpose of recovering certain cattle stolen by the Caffres, *Aitchison* 445.

*Pato*, Chief. He was never a subject of Gaika's, and therefore Gaika had no control over the country possessed by him, *Stockenstrom* 553——Reason assigned by his people for making inroads on the colonists, *Shaw* 617——His tribe was removed at different times from the Zwartzhops to the Keiskamma River by order of the colonial government, *Shaw* 620, 621——Instances in which he has exerted himself to apprehend persons who had committed acts of aggression against the British settlers at the Cape, *Shaw* 635-638——Invariably urged on witness that Gaika had no right whatever over the lands belonging to him, and which he ceded to Lord Charles Somerset, *Shaw* 625——Caffres belonging to his tribe particularly exerted themselves in intercepting marauders, and causing plunder to be restored, *Wade* 2777——He has recognized the Sabbath by proclamations to his people, *Beecham* 4402, *p.* 532——The general good conduct of the people under his command is the cause of their remaining so long unmolested, *Young* 5540——The patrols sent into Pato's country have been sent there after cattle taken by other tribes, *Young* 5532.——*See* also *Patrol System.*

*Patrol System.* It is very similar to the commando, and nature of the distinction, *Aitchison* 95——System of patrols entering Caffreland a subject of great bitterness, *Beresford* 2649——No patrol ever entered Caffreland without aggression having taken place on the part of the natives, *Beresford* 2689. 2705——Frequent application for patrols to recapture cattle taken by Caffres, *Cox* 2813-2818——No instance of a patrol being sent among witness's people, *Tzatzoe* 4581-4585——Witness's ground of complaint that when patrols enter Caffreland they bring away cattle belonging to Caffres who are innocent of having taken cattle from the colonists, *Tzatzoe* 4858-4864. 4929-4932——System of patrols is not calculated to promote peace between Caffres and colonists, but the contrary, *Read* 5273, 5274——Its abandonment one of the first steps towards the establishment of amicable relations with the tribes on the frontier, *Philip* 5327, *p.* 628——There has been no patrol sent to Pato's country during the last ten years, *Young* 5542.
*See* also *Caffreland. Caffre War*, 1. *Commando System.*

*Peace.* Suggestions for ensuring tranquillity in the colony, *Stockenstrom* 1080, 1081——Suggestions for obviating the difficulties in the way of an amicable arrangement between the colonists and the Caffres, *Bradford* 1467——Permanent peace can only be established by a judicious mixture of severity and emulation, *Cox* 3272——The greatest freedom of intercourse between the colonists and the natives should be allowed, as the only mode of preserving peace and tranquillity to the colony, *Gisborne* 3438-3440.

*Peasantry.* Greater disposition among the peasantry of Southern Africa to wander about than exists among the peasantry of England, *Hallbeck* 3117.

*Penalties.* Advantage to maritime countries of rendering captains of vessels liable to a penalty for discharging seamen from their ships, and turning them on shore without permission of the chiefs of the place, *Beecham* 4365.

*Penn*, Mr. *William.* Measures taken by him to prevent the indians in Pennsylvania being defrauded or injured, *Bates* 4459——His various occupations with his own colony prevented him from doing anything very considerable for the advancement of the natives, *Hodgkin* 5362——Opinion that the system pursued by him should be adopted by Government so far as to abstain from aggression; at the same time some effort should be made for the improvement of the natives, *Hodgkin* 5362, 5363——Plan pursued by him with the natives in Pennsylvania was rather negative than positive, *Hodgkin* 5362.

*Pennsylvania.* See *Penn*, Mr. *William.*

*Personal Property.* Some few of the Shawnees have acquired considerable personal property, *Bates* 4454.

*Petty Offences.* Increase of petty offences tried in the resident magistrates' courts of the colony since 1828 is very considerable compared with what they formerly were, *Wade* 2781.

*Philip,* Rev. *John,* D.D. (Analysis of his Evidence.)—Superintendent of the London Missionary Society's mission in South Africa, 4468, 4469——Statement respecting the character and condition of the aborigines of South Africa, and the treatment they have experienced from Europeans, 4470–4473, *p.* 549–558——Papers delivered in to the Committee; on the nature and effects of the commando system drawn up at the request of the governor, dated 13 March 1834; letters from the Rev. Mr. Read, and some additional remarks upon the new system of border policy proposed to be introduced; circular letter addressed to the missionaries at the breaking out of the Caffre war, calling upon the natives to come forward and assist in repelling the Caffres, 4475.

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[Third Examination.]—The Caffres, soon after the evacuation of the town of Fredericksburgh by the government that succeeded Sir Rufane Donkin, made constant aggressions upon the colonists, by stealing cattle and committing murders, 878–883——Military posts established by Sir R. Donkin were entirely of a protective nature, 884–886——Extract from a petition presented to the House of Commons from the settlers at the Cape, respecting the withdrawal of the military from Fredericksburgh, and the depredations of the Caffres, &c., 888——Change in the military system of the colony on the return of Lord Charles Somerset the principal cause of the aggressions of the Caffres, 889–896. 909–917——Recommendations of the Commissioners of Inquiry have not been carried into effect, although eleven years have elapsed, 899–903——Military force at the Cape has been reduced, and the colonists exposed to great danger, 904–907.

No instance of aggression on the part of the colonists towards the Caffres, 908——Further evidence respecting the non-fulfilment of the recommendations of the Commissioners of Inquiry, 921–924——Amount of duty on articles imported into the colony; increase in the amount might be beneficially made, and a number of small taxes done away with; manner in which it is expended, and under whose directions, 925–933——Lighthouse very much wanted at Algoa Bay, and means taken by the colonists to get it erected, 934–946——Further evidence respecting the recommendation of the Commissioners of Inquiry, 947–949——Advantages that would be derived from a well-organized system of municpial government at the Cape, 950–958.

[Fourth Examination.]—Evidence respecting the circumstances under which the address from the English settlers in the Albany district was presented to Capt. Stockenstrom, requesting him to reside at Graham's Town instead of at Uitenhage, 1534–1539——Suspending the present system of commandos would be attended with very great advantage to the settlers bordering on the Caffre settlement, 1540–1544——Letter from W. B. Boyce to Sir Benj. D'Urban, governor of the Cape colony, containing remarks on the best means of preserving the peace of the colonial frontier, bordering on Caffraria, 1545, *p.* 179–182.

*Philipstown.* At the commencement of the late war the Caffres made an attack on it, and took away a quantity of cattle, *Read*, jun. 5123, 5124——Reason Caffres did not renew their attack on Philipstown, *Read*, jun. 5135.——*See* also *Normal Schools.*

*Ploughs.* The plough has been introduced in all the stations belonging to the Wesleyan Missionary Society, *Shaw* 673——It was early introduced among the Caffres belonging to the Congo tribe, *Beecham* 4402, *p.* 535.

*Plunder.* See *Caffres*, 1, 2. *Caffre War*, 1.

*Police.* The establishment of a body of police on the frontier, similar to the system on the frontier districts of India, recommended, *Bradford* 1469——From whom it should be chosen, *Bradford* 1474–1488——Something in the nature of a police should be placed at the disposal of the British resident in New Zealand, *Coates* 4348——By whom those in New Zealand should be appointed, *Coates* 4348.——*See* also *Port Natal. Stockmen.*

*Political Meetings.* Political meetings called by Mr. Read, for the purpose of petitioning the legislative council against the vagrant law, *Wade* 2795.

*See* also *Missionaries*, 3.

*Polygamy.* Natives who reside at the missionary station at Wesleyville have abandoned polygamy, *Shaw* 692——Is very prevalent among the natives of New Zealand, *Coates*

*and*

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*and others* 4296, 4297——A fruitful source of evil among savage people, *Beecham* 4411, *p.* 538——Owing to the exertions of the missionaries, polygamy has been abandoned by the Griquas, *Philip* 5327——There is no instance of it now in the South Sea Islands, *Williams* 5577.

*Pomare.* See *King*, Mr.

*Population.* The intercourse between Europeans and the natives of the British settlements has caused a decrease in their population, *Broughton* 259, 260, *Gisborne* 3458, *Hodgkin* 3882–3890. 3894, 3895. 3904, *Trapp* 3930–3936, *Coates, Beecham & Ellis* 4279. 4320–4322. 4328. 4337. 4342, *Bates* 4443, 4444, *King* 5403. 5370–5378, *Williams* 5612——Reduction of the population of Southern Africa caused by the attempts at colonization more than the operations of the slave trade in Western Africa, *Hodgkin* 3882–3901——The population of the northern half of the Cape must always remain a nomade population, *Stockenstrom* 1554——Nearly one-half of the population of Caledon derive their support from mechanical arts, *Hallbeck* 3017, 3018.

No diminution of the population among the Christian Indians of Upper Canada since the introduction of Christianity, *Coates, Beecham & Ellis* 4398–4400——Decrease of the population of the South Sea Islands is not traceable to the operation of the cruelty of Europeans, *Coates, Beecham & Ellis* 4328——Of the Shawnee tribe has been decreased latterly, *Bates* 4443, 4444——Of the Hottentots much the same now as 36 years ago, *Read* 5236, 5237——Of the Kat River settlement, *Read*, jun. 5166, *Philip* 5434——Of New Zealand, *Trapp* 3941, 3942——Of Chain Island, *Williams* 5603——Of the South Sea Islands has decreased since their first intercourse with Europeans, but increased in nearly all of them since the introduction of Christianity, *Williams* 5610-5612——Diminution of the population in the South Sea Islands to be attributed to various causes, *Williams* 5613.

*See* also *Africa*, South. *Caffres*, 1. *Cattle*, 1. *Chain Island. Copper Indians. Cree Indians. Hottentots*, 3. *Kat River*, 1. *Newfoundland. New Zealand*, 2. *Oparo Island. Sandwich Islands. Tahiti Islands. Van Diemen's Land.*

*Port Elizabeth.* See *Wages.*

*Porapora Island.* Is the only island in the whole of the Tahitian and Society Island group that retains the use of ardent spirits, *Williams* 5575.

*Port Natal.* There is no missionary residence at Port Natal, *Gardiner* 3980——English residents there did not instigate the natives of the settlement to annoy their Chief Dingarn, *Gardiner* 3999——The principal part of the inhabitants of the island are Zoolahs, *Gardiner* 4026——The English residents at Natal are looked up to by the natives as chiefs of clans, and they pay them the greatest respect, *Gardiner* 4064——Opinion that it would maintain itself with a very trifling expense on the part of the English Government, *Gardiner* 4122——The soil is too good, and the climate too salubrious, to suffer it to be long without some European occupant, *Gardiner* 4142——The lands in the neighbourhood of Port Natal are very fertile, *Gardiner* 3991–3998——Stationing a British officer there, under an authority from the Cape of Good Hope, would be attended with considerable advantage, *Coates* 4348——Is a dependency of the Zoolu country, and the king of Zoolu is looked up to by the inhabitants as its sovereign chief, *Gardiner* 3985–3990——There is no form of government or police there, *Gardiner* 4020–4022——Whether the country about Port Natal originally belonged to the Zoolus or was acquired by conquest, *Gardiner* 4023–4026.

*See* also *America. American Vessels. Ammunition. Arms. Chairs. Deserters. English Settlers. Ivory. Native Tribes*, II, 3. *Traders. Treaties.*

*Port Stephens.* Natives of Sydney seldom employed by Europeans, except at Port Stephens, *Yate* 1814, 1815.

*Portuguese.* The Portuguese were enabled to extend their influence some hundreds of miles into the interior of Africa, by adopting the plan of instructing the sons of chiefs, &c., *Hodgkin* 5350.——*See* also *Native Tribes*, I.

*Poverty.* From the improvident habits of the Hottentots, there is as much real abject poverty and misery among them as among any class of people in the world, *Dundas* 1144.

*Presents.* The system of giving presents is a system by which many unprincipled whites become possessed of property designed for the natives, *Hodgkin* 5338.

*See* also *Breeding Cattle.*

*Pringle*, Mr. Extracts from his "African Sketches" and "State of Albany," on the colonial policy towards the Caffres, *Wade* 3558, *p.* 407–409——His statement with respect to the commando under Erasmus quite at variance with Captain Stockenstrom's letter on the same subject, *Wade* 3558, *p.* 413——Account published by him relative to the arrest of Macomo at the missionary meeting totally untrue, *Wade* 3558, *p.* 418——Witness agrees with him in regard to the measures to be adopted with respect to the native tribes, *Philip* 5731, 5732.

*Printing Presses.* Extract of a letter from Mr. W. R. Wade, dated 10 January 1835, on the introduction of a printing press into New Zealand, and the pleasure expressed by the natives thereat, *Coates, Beecham & Ellis*, *p.* 523.

*See* also *Wade*, Mr. *W. R. Wesleyan Missionary Society.*

*Prisoners.* It is impossible to take the Caffres prisoners, they are so very cunning, *Cox* 2821——Proceedings taken by witness to recover certain persons detained in captivity by New Zealanders, *Marshall* 3623–3637. 3639–3644.——*See* also *Caffres*, 2.

*Proclamations.* Proclamation made by the governor of the Cape of Good Hope to Hintza, chief of the country between the Kei and the Bashee, *Stockenstrom* 1427–1429, *p.* 158 ——That issued by Earl Macartney does not apply to the frontier generally, but only to the northern frontier of the colony, *Dundas* 2761–2764——Of the governor of the Cape, pointing out the boundaries of the colony and the land granted to the Caffres, *Cox* 3600–3606.

*Prostitution.* Early age at which it takes place among the female aborigines of New Holland, *Coates, Beecham & Ellis* 4288——Increase of prostitution is the result of the intercourse between civilized and uncivilized nations, *Beecham* 4416, *p.* 541.

*Provisions.* Are very cheap at the Tahiti and Society Islands, *Williams* 5677——Ships frequently leave the islands without purchasing their allowance of provisions, in consequence of the reports made by seamen of the high price they would fetch in England, *Williams* 5588——Preventing the trading in provisions among the Indians at the Red River would be attended with great advantage, *King* 5401.
*See* also *Native Teachers. Salt Meat. South Sea Islands.*

*Public Work.* See *Bethelsdorf.*

*Public Worship.* Frequent instances of Hottentots travelling considerable distances to attend Divine service regularly, *Stockenstrom* 1387, *p.* 153——The attendance on religious worship at the Kat River settlement very great, *Read* 5235——The missionaries had established a place of public worship connected with witness's tribe previous to the late war; number of persons generally attending it, *Tzatzoe* 4682–4687——Very few persons at the Kat River settlement absent themselves from public worship, *Philip* 5442 5444.

*Purcell*, Mr. Circumstances under which he was murdered by a Caffre slave, *Beresford* 2618–2621——Was murdered some time previous to the breaking out of the Caffre war, *Cox* 3247.

*Purchases of Lands.* See *Axes. Blankets.*

Q.

*Quit Rents.* Lands in the possession of the missionaries in the Caledon district are held on perpetual quit-rents, *Hallbeck* 3106.

R.

*Raiatea Island.* See *Convicts.*

*Ransom.* Natives of New Zealand expected that a ransom would be given for delivery up of their captives, *Marshall* 3666–3675——Witness desired the persons sent to demand the prisoners in New Zealand not to offer or promise any ransom for their being released, *Lambert* 3794–3798.

*Rarotonga Island.* Manner of punishing thieves in that island previous to the introduction of Christianity, *Williams* 5648——Since the introduction of Christianity, a simple code of laws has been drawn up for the government of the island, *Williams* 5648–5649.

*Read*, Rev. *James.* (Analysis of his Evidence.)—Missionary connected with the London Missionary Society, and 36 years in continual intercourse with the aborigines of South Africa, 5230–5232——Statement respecting the condition of the aborigines of South Africa from the time witness went out till his return to this country, 5235——Population of the Hottentots much the same now as 36 years ago, 5236, 5237——Cause which tended to shorten the life of Dr. Vanderkemp, 5242–5244——Evidence respecting the character and rank in society of Tzatzoe, 5245–5255——Character of Macomo, 5256, 5257——Witness was not aware of any order prohibiting Caffres from coming into the colony without a pass, and examination thereon, 5259–5272——System of patrols and commandos is not calculated to promote peace, but the contrary, 5273, 5274——Opinion that the Caffres never expected any assistance from the Hottentots at Kat River during their late invasion of the colony, 5278–5280.

The meeting to petition against the Vagrant Act calmed the fears of the Hottentots with respect to that measure, 5281, 5282——Hottentots were not, in witness's opinion, in any way tampered with by the Caffres, 5283–5285——Circumstances under which witness was in possession of a Caffre child at the time of the commencement of the war, 5287–5291——It is not true that a number of Hottentots from the Kat River have gone to reside in Caffreland, 5292, 5293——Military should only be used to obtain the restoration of stolen cattle when all other means have failed, and then should not take the cattle of the innocent which is the chief ground of the Caffres complaint, 5298–5300 ——Commencement of the late war was more of a retaliatory description for the purpose of seizing cattle than the destruction of the colonists, 5301–5305——Commando system

*Read*, Rev. *James*. (Analysis of his Evidence)—*continued*.

system should only be used in case of failure of every other means of obtaining restitution of stolen cattle, 5306, 5307——Witness was removed from the Kat River without any reason being assigned, although repeated applications have been made for an investigation, yet none has taken place, 5309–5320.

*Read*, Rev. Mr. Is the only European that has been married to a Hottentot woman, *Philipps* 431——Invitation sent by him to Macomo to attend a missionary meeting, although he knew that no Caffre was permitted to come into the colony without a pass, *Wade* 2781——The disunion in the Hottentot locations principally brought about by his improper interference with respect to the vagrant law, *Wade* 2795——Letter from him to the Rev. Mr. Thompson, dated 14 August 1834, on the subject of the Vagrant Act, *Wade* 2798——Language made use of by him in his interviews with Caffres highly improper, *Wade* 3500——The Caffres looked to him and Dr. Philip as persons who had very great influence with the government, *Wade* 3506.

At the time of the breaking out of the war, had a Caffre boy living with him without the knowledge of the public authorities, *Wade* 3547——Was not permitted to return to the Kat River after the war, *Wade* 3547, *Read*, jun. 5167–5171. 5209–5214, *Read* 5312–5314. 5320——Was removed from the Kat River settlement without any reason being assigned, although repeated applications have been made for an investigation, yet none has taken place, *Read* 5309–5320——Witness never heard that he had held various meetings of Caffres, and at those meetings had instigated them to attack the colonists, *Tzatzoe* 4711–4720.

Evidence relative to the accusations against Mr. Read, and which induced witness to withdraw his confidence from him, *Philip* 5460–5468——Whether witness authorized Mr. Read to prefer complaints in the name of the London Missionary Society to the colonial government at the time he held no official character in that society, *Philip* 5495–5506——Witness never had any occasion to doubt the veracity of Mr. Read till after the statement of Sir Rufane Donkin, that the charges which he had brought against Col. Cuyler were false, *Philip* 5505.

*See* also *Caffres*. *Caffre War*. *Cuyler*, Colonel. *Passes*. *Political Meetings*. *Vagrant Act*.

*Read, James*, junior. (Analysis of his Evidence.)—Teacher at the Kat River settlement, from 1832 to the beginning of 1835, in connexion with the London Missionary Society, 5086–5089——Number of schools there, and number of scholars attending, mode of instruction and teachers employed; manner in which schools are supported, 5091–5111——Origin of the late Caffre war, 5113–5115. 5118——No reason to suppose that the Caffres were preparing to attack the colony, 5116, 5117——Hottentots at the Kat River considered themselves in great danger at the commencement of the late hostilities, and steps taken by them to protect themselves, 5120–5122——Caffres made an attack on Philipstown, and took away a quantity of cattle, 5123, 5124——Caffres also took some cattle from the Kat River settlement, 5130——Attacks on the kraals generally made during the night, 5134——Reason Caffres did not renew their attack on Philipstown, 5135——Opinion that the Kat River settlement is well affected to the English Government, 5137, 5138——Evidence respecting the cause of the removal of the Glasgow Society's missionaries from the Chumie, 5140–5149.

Population of the Kat River settlement, 5166——No reason assigned by the governor of the Cape for refusing to allow missionaries to return to the Kat River, 5167–5171——Particulars respecting the arrest of Macomo after the missionary meeting at the Kat River in October 1823, 5172–5180——Speech made by Macomo at that meeting, 5182–5185——Macomo is a very intelligent man, and done all in his power to discourage thefts, 5186, 5187——Caffres express themselves under great obligations to the missionaries, 5188–5190——Opinion that under a system of perfect humanity and justice the Caffres would become attached to the British Government, 5191–5194. 5205, 5206——It is considered a great disgrace to a Caffre to be beaten, 5195–5197——Particulars of the last interview between Dr. Philip and the Chief Macomo, 5198–5204——Since restoration of tranquillity on the frontier, the missionaries, with the exception of witness and his father, have been permitted to return to their former residences, 5209–5214——The passing the 50th ordinance gave great satisfaction to the Hottentots, 5219–5223——Witness was not aware that Caffres without passes were not allowed to come into the colony, 5224–5227——Resolutions passed at the Kat River, stating they wished to hold and did hold amicable relations with the Caffres, 5228, 5229.

*Red River*. Suggestions for bettering the condition of the Indians on the Red River, *King* 5401——The exertions of the Catholic missionaries on the Red River have not been very successful, *King* 5396–5400.——*See* also *Indians*.

*Religious Instruction*. Proportion of the population attending religious instruction at the Moravian missionary institutions in South Africa, and beneficial effects arising from it, *Hallbeck* 3012–3016——Opinion that the best mode of civilizing men is by giving them religious instruction, *Hallbeck* 3064–3069——The only means of affording religious instruction to stockmen is by the establishment of an itinerating ministry, *Coates* 4348——The means at present at the disposal of the colonial government for administering religious instruction to the stockmen are very inconsiderable, *Coates* 4348——Evidence as

*Religious Instruction*—continued.

to the proper mode of imparting religious instruction to the Indians, *Bates* 4448–4451. 4456–4458. 4460——The excitement caused by the commando and patrol system has prevented the Caffres from giving that attention to the instruction of the missionaries which they otherwise would have done, *Tzatzoe* 4677–4681.

*Remuneration.* See *Hottentots*, 2. *Missionaries*, 5.

*Representative Government.* See *Tahiti*, Island of.

*Reprisals.* So long as the system of reprisal continues, so long will the Caffres continue to plunder the colonists, *Stockenstrom* 1096–1098——The system of reprisal has not been attended with any salutary consequences, *Dundas* 1159——No beneficial results will ever follow from a system of violence towards the Caffres, *Stockenstrom* 2263——The revival of the reprisal system in 1829 had not the effect of immediately checking the depredations of the Caffres, *Wade* 2776——Not one-tenth of the cattle taken from the colonists were recovered by means of the reprisal system, *Dundas* 1165——Of Caffre cattle expressly condemned by witness, unless made under the authority of the government of the colony, *Stockenstrom* 2146–2148.

Treaty between the governor and the Caffres, with respect to reprisals, was violated by the government officers, *Stockenstrom* 2148–2214——Witness was not authorized to institute an inquiry into the particulars of those made by Schessers and Gordon, in consequence of a military officer having been on the spot at the time they were made, *Stockenstrom* 2225–2243——Witness had no right to inquire into military proceedings; always ready with evidence to substantiate the charges made against Schessers and Gordon, *Stockenstrom* 2232–2243——Period when the reprisal system first came into operation, *Stockenstrom* 2255, 2256——Whether any suspension of the reprisal system took place during General Bourke's administration, *Stockenstrom* 2257–2262——The system of reprisal abandoned by General Bourke in April 1826, *Wade* 2770——Caffres have had immensely the advantage over the colonists with respect to the reprisal system, *Wade* 3558.

*Retaliation.* See *Caffre War*, 2.

*Rewa*, Chief. A quantity of corrosive sublimate furnished him by a Capt. Stewart, for the purpose of poisoning his enemies, *Yate* 1699.

*Rice.* Cultivation of rice has not been introduced among the natives of the South Sea Islands; from the great abundance of food, there is no necessity for it, *Williams* 5638.

*Rifle Corps.* Strength of the Cape Mounted Riflemen, and description of persons composing it, *Aitchison* 1–9——Present strength of the Cape regiment is not equal to the defence of the frontier, *Spiller* 769–771——Cause of their being reduced, *Aitchison* 160–162——Small number of; increasing the number would cause a reduction of infantry, *Philipps* 352——Cape Mounted Rifle Corps employed in expelling the Chiefs Macomo and Charlie from Mankantana, *Spiller* 766——Great number of the Hottentots located at the Kat River have served in the rifle corps, *Wade* 2781.

*Rivers.* See *Credit River. Fish River. Gamtoos River. Orange River. Red River. Sunday River. Swan River.*

*Robberies.* Those by Caffres increased in 1822 to a very alarming extent; causes which led to, and steps taken to prevent them, *Philipps* 314*–316*——Fraudulent representations of robberies which have never been perpetrated, causes patrols to be sent into Caffreland for the purpose of recovering cattle, and hence arises the misfortunes of the frontier, *Stockenstrom* 977–979. 983. 1003–1010——*See* also *Boors. Convicts.*

*Roman Catholic Missionaries.* See *Red River.*

*Romans.* The Romans and other nations were satisfied with having discovered territories, and visiting them, but their cupidity did not lead them to dispossess the natives, and treat them in the way in which our people have done, *Hodgkin* 3874–3878.

*See* also *Colonization.*

*Rope*, Manufacture of. Natives of the South Sea Islands have been taught ropemaking by the missionaries, *Williams* 5657.

*Ross*, Rev. *John.* Particulars respecting the deceit practised by him in secreting a Caffre chief, for whom witness was in search, *Aitchison* 144–147——His opinion of the Chief Macomo, *Read* 5257——Extract of a letter from him to Dr. Philip, dated 13 November 1835, on the subject of the introduction of spirits among the Caffre chiefs, and baneful effects therefrom, *App. p.* 718——Extracts from letters addressed by him to Dr. Philip on the subject of the wrongs inflicted on the Caffres, *App. p.* 717, 718——Extract of a letter from him to Dr. Philip, dated 31 January 1836, relative to the cause of the late Caffre war, *App. p.* 718.

*Ross*, Lieutenant. Discrepancy in the statements made in England, and the actual circumstances as connected with his expedition into Caffreland, *Young* 5554–5557.

*Rotuma Island.* Number of runaway sailors living there at one time, *Williams* 5580.

*Runaway Seamen.* See *Seamen. South Sea Islands.*

*Rutherford, Henry.* (Analysis of his Evidence.)—Merchant residing at Graham's Town, 4149-4153——Manner of taking the depositions respecting the commando entrusted to Field-cornet Erasmus; by whom the proceedings conducted, and persons present on the occasion; general character of witnesses examined, 4154-4176——Abolition of the commando system would produce beneficial results, 4177-4180. 4185-4187——Trade between the colonists and Caffres was carried on to a very great extent previous to the late irruption, 4181-4184——Opinion that the labours of the missionaries among the natives will be attended with real and lasting benefits, 4188-4190.

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*Sabbath Day,* Observance of. The Sabbath has been recognized by the proclamations of the Chiefs Pato, Kama and Congo, *Beecham* 4402, *p.* 535——Extract from Mr. Davis' Journal respecting the observance of the Sabbath-day by the natives of New Zealand, *Coates, Beecham & Ellis* 4382, *p.* 524——Also extract from Mr. Shepherd's Journal on the same subject, *Coates, Beecham & Ellis* 4382, *p.* 524.

*Salem.* Afforded a safe asylum for the colonists during the late war, *Shaw* 1070.

*Salt.* Can be procured at the Portuguese Fort St. Ivaquire, and which the natives trade in, *Natterer* 4254——Is manufactured by the natives in the South Seas from instructions given them by the missionaries, *Williams* 5667.

*Salt Meat.* New Zealanders never eat salt provisions, *Marshall* 3657.

*Sandwich Islands.* Population of the Sandwich Islands when Captain Cook visited them, *Coates, Beecham & Ellis* 4328.

*See* also *Human Sacrifices. Missionaries,* 1. *Population.*

*Sant,* Serjeant. Evidence respecting the patrol under his command for the purpose of conducting Macomo from the Kat River, and manner in which it was carried into effect, *Bradford* 1434, *p.* 160, *Wade* 3558, *p.* 418-421, *Read,* jun. 5173-5179.

*Sarsaparilla.* The Cree Indians are perfectly well acquainted with its use; very common in the neighbourhood of their hunting grounds, *King* 5390.

*Schessers & Gordon,* Messrs. Witness was not authorized to institute any inquiry into the particulars of the reprisals made by Schessers & Gordon, and reason therefor, *Stockenstrom* 2225-2231——Witness had no right to inquire into military proceedings, but was always ready to substantiate the charges made against Messrs. Schessers & Gordon, *Stockenstrom* 2232-2243.——*See* also *Reprisals.*

*Schmidt,* Mr. He was sent out in 1737 by the Moravians to endeavour to civilize the Hottentots, *Dundas* 1150.

*Scholars.* Competition should be encouraged among the scholars by which the best of them might from time to time be brought to the colonial schools, and afterwards drafted to this country, *Hodgkin* 5338——Those who were drafted from the colonial schools to this country would be made more competent to become starting points of civilization to their own people, *Hodgkin* 5341——Drafting scholars from the colonial schools would form a most important means of communication with this country on their return to their native country, *Hodgkin* 5342.

*Schools.* Great desire among Hottentots located at Kat River to have schools established among them, *Stockenstrom* 1387——Number of schools attached to the missionary stations in South Africa, *Hallbeck* 3007-3009——Great fluctuation in the attendance at the schools belonging to the London and Glasgow missionary institutions in South Africa, *Hallbeck* 3175——Have been established at the Bechuana mission, *Beecham* 4402, *p.* 535——Among the Foulahs, *Beecham* 4411, *p.* 538——In the Friendly Islands, *Beecham* 4411, *p.* 538——At the Kat River settlement, *Read,* jun. 5091-5111, *Read* 5235, *Philip* 5433-5441.

Number of schools at the Kat River settlement, and number of scholars attending; mode of instruction, and teachers employed; manner they are supported, *Read,* jun. 5091-5111, *Read* 5235, *Philip* 5433——Those at the Kat River are not in the same condition as they were previous to the late war, and reason, *Read,* jun. 5107——The establishment of schools among the natives of Southern Africa recommended as a measure calculated to benefit them, *Hodgkin* 5338——Those already established by the missionaries should be specially encouraged, *Hodgkin* 5338——Advantages that would arise from drafting scholars from the colonial schools to this country, *Hodgkin* 5340-5342——Attached to all missionary stations in the South Seas, there is a school for adults, *Williams* 5673.

*See* also *Arithmetic. Geography. Greek. Infant Schools. Kat River Settlement. London Missionary Society. Missionary Stations. Native Teachers. Normal Schools. Paramatta. Wilde,* Sir *John.*

*Scott,* Archdeacon. Great attention paid by him to the condition of the native tribes of Sydney, and attempts made by him to improve it, *Broughton* 227.

*Scouts.* See *Farmers.*

*Scripture History.* Is taught in the schools under the patronage of the London Missionary Society at the Kat River, *Read*, jun. 5093.

*Scriptures, Holy.* See *Caffre Language. New Zealand*, 3. *Sichuana Language.*

*Seamen.* The removal of runaway seamen would be a great benefit to New Zealand, *Yate* 1654–1657——Mischievous effects from the presence of runaway seamen and convicts on the natives of New Zealand, and number thereof, *Yate* 1654–1657. 1671, 1672——Frequent cases of seamen absconding from their vessels, and residing among the natives of New Zealand, *Trapp* 3935——Advantages to be derived from an enactment that they should be liable to be called to account for robberies or murders committed by them, *Beecham* 4364——Evidence relative to the expedition to New Zealand in 1834 by His Majesty's Ship Alligator to release certain shipwrecked seamen, who were detained as prisoners by the different tribes in New Zealand, *Lambert* 3786-3793.

Opinion that the proceedings relative to the delivery of the prisoners detained in New Zealand will be attended with beneficial results; the tribes detaining them being the worst description of persons there, *Lambert* 3848–3850——It is the very lowest order of them that leave their ships and live among the savages, *Williams* 5579——Frequent instances of their deserting their ships for the purpose of living with the natives, *Williams* 5580–5582——They generally treat the natives with kindness, being dependent on them, *Williams* 5582——Runaway sailors do incalculable mischief among the natives by circulating reports injurious to the interests of the shipping, *Williams* 5588——But few instances of runaway sailors being industrious in their habits, *Williams* 5622.

*See* also *Provisions.*

*Seco* or *Zeko.* See *Commando System. Erasmus*, Field-cornet. *Stockenstrom*, Capt.

*Seductions.* Europeans coming into contact with the native inhabitants of the British settlements causes the seduction of native females, *Coates, Beecham & Ellis*, 4333. 4336.

*Seizure of Cattle. Caffres*, 3. *Calves. Cattle. Civilization.*

*Servants.* Great number of Hottentot servants connected with the Moravian missionary settlement at Caledon, and length of time they have been engaged, *Hallbeck* 3025.

*Settlers.* All settlers found on the left bank of the Fish River were subject to severe punishment, *Dundas* 1176, 1177——If Caffreland occupied by settlers, they would be principally pasturage farmers, *Gisborne* 3362.

*See* also *Albany. Colonists. English Settlers.*

*Shaw*, Mr. Great influence possessed by him over the Caffres, and beneficial manner in which it has been exerted, *Dundas* 1291.

*Shaw*, Rev. *William.* (Analysis of his Evidence.)—Missionary at Albany, 596–602——All intercourse between the Caffres and the colony strictly prohibited in 1821, 603, 604——Military order that Caffres found within the colonial boundary were to be shot, 604——Very little traffic between the Caffres and the colony (excepting in contraband goods) at this period, 606——Attempts made by missionaries for the improvement and conversion of the Caffres, 607 609——Number of missionary stations increased, 610–615——Predatory incursions by the Caffres caused by the treatment they received from the colonists, 616–622——Treaty between Lord Charles Somerset and the Chief Gaika founded in injustice, and the cause of great dissatisfaction between the natives and the colonists, 623–626.

Possession of the neutral territory ceded to the Caffres on condition of their good behaviour; orders given by the chiefs to seize cattle stolen from the colony, and to bring the depredators before them for punishment, 628–634——Instances in which the Chiefs Congo, Kama and Pato exerted themselves to apprehend persons who had committed acts of aggression against the British settlers, 635–638——Friendly feeling between the Caffres and the settlers till about the year 1829, when it considerably diminished, and causes which led to it, 639–646——Causes to which the recent irruption of the Caffres may be attributed, 650, 651——Missionaries were not aware of the intention of the Caffres to attack the colony, 652–659——Caffres very sensible of any kindness shown to them, 661, 662——Suggestions as to the future policy to be adopted towards the Caffres, 663–665.

Number of Caffres has increased within the last forty years, 666–671——If efforts made to improve and civilize the Caffres, they would be attended with success, 673, 674——Evidence respecting the steps taken by witness to gain the good opinion of the Caffres; manner in which he was received; result of his mission, 677–714——Number of Caffres that have been admitted members of the church at Wesleyville, 692, 693. 706–711——Further evidence respecting the good feeling existing previous to 1829 between the natives and the settlers, and the causes which led to its being broken in upon, 716, 717. 729–732——Caffre country much finer than many parts of the colony near Cape Town; their principal dependence on grazing, 720–724.

An augmentation of the Hottentot corps decidedly necessary, 733, 734——Distance between Graham's Town and Cape Town; period requisite to perform the journey, 735–738——Sending children to the colony would be of very great advantage both to the children and the colony; number sent by the Children's Friend Society should be increased, 743–745——Whether the expulsion of the Caffres from 7,000 square miles of territory

*Shaw*, Rev. *William*. (Analysis of his Evidence)—*continued*.

territory will be disadvantageous to the welfare of the colony, and evidence thereon, 748–759——Caffres very willing to place themselves under the protection of the British Crown, under certain privileges, 760, 761.

[Second Examination.]—Without missionary influence it would have been impossible in 1824 for the colonial authorities to obtain friendly interviews with the border chiefs, 1062——Very great desire among the natives to purchase articles of British manufacture, and conform to civilized habits, 1063——Extract of a letter, addressed to the governor of the colony, on the reported removal of thestore for selling clothing, &c. at Wesleyville, 1063–1068——Natives are possessed of sufficient intellect, and powers of mind to be able to understand, and reason upon what they hear, 1069——Suggestions for occupying the ceded territory on removing the boundary of the colony as far eastward as the Kye River, 1070, 1071.

[Third Examination.]—The only possible means of civilizing rude and barbarous people is through the influence of Christianity, 1101. 1117, 1118——Arrangements for the extension of commerce with the Caffre tribes failed, until the missionaries had fully established themselves, 1101——Great number of the chiefs were under a great degree of missionary influence, though not absolute converts to Christianity, 1102–1104——Influence of the missionary during the late disturbances exerted to preserve the lives of the settlers, 1105, 1106——Frequent instances of missionaries being employed as agents in communications with the native chiefs, 1107, 1108——Great difficulty in learning the language of the Caffres, and progress made therein by the missionaries, 1108–1115——Caffres very much addicted to incantations, 1119–1121——Causes of the dissatisfaction of the Caffres; disposition of the Caffres towards the English Government; very great love of country among them, 1122–1124——Colonists very well disposed towards the natives, 1125——Commercial enterprize among them very great, 1126–1128——Within the limits of their own tribe, the rights of property are held sacred, 1129.

*Shaw*, Rev. Mr. Application made by him to the colonial government for permission to open a shop or store for the sale of British goods at Wesleyville, *Beecham* 4402, *p.* 535.

*Shawnees*. Their character now and formerly, *Bates* 4433–4439. 4452–4455——Means taken by the superintendent of the Society of Friends to instruct them in agriculture, *Bates* 4440–4442——Evidence respecting their dissatisfaction at the treaty entered into with our Government, and steps taken to satisfy them, *Bates* 4445–4447.

*See* also *Agriculture*. *Houses*. *Intemperance*. *Land*. *Personal Property*. *Population*.

*Sheep*. Great depredations committed by the wandering hordes of Hottentots on the sheep of the farmers and colonists, *Dundas* 1144. 1145——Are now becoming very general in the different provinces of the colony, *Beresford* 2509——Number of sheep possessed by the settlers at the Kat River in 1833, *Wade* 2781——Caffres have no sheep, *Tzatzoe* 4778, 4779.

*Shepstone*, Mr. *Theophilus*. Mode adopted by him to acquire a knowledge of the Caffre language, *Philipps* 420——He acted as interpreter when the treaty was made with the Chief Hintza, *Philipps* 420.

*Shipbuilding*. Has been introduced by the missionaries stationed in the South Seas, *Williams* 5623.

*Shipping*. Quantity of shipping employed in Albany, *Philipps* 319*——Intercourse with shipping is very detrimental to the moral habits of the people in the South Sea Islands, *Williams* 5576——Repeated instances of ships sailing from the South Sea Islands without provisions, from the high price demanded by the natives, caused by the reports circulated by runaway sailors, *Williams* 5588.

*See* also *Beef*. *Provisions*. *Seamen*. *Society's Islands*. *Tahiti Islands*.

*Ships of War*. The visit of ships of war have done great good for the inhabitants of the South Seas, *Williams* 5592, 5593——The conduct of the captains and crews of His Majesty's ships has been uniformly such as to elevate the British character, *Williams* 5593–5597. 5639——Periodical visits of ships of war would tend very much to improve the intercourse with natives of South Seas and Europeans, *Williams* 5598–5600.

*See* also *Naval Force*.

*Shoemakers*. There are several shoemakers at Gnadindahl, *Hallbeck* 3172——There are a number of shoemakers among the Hottentots of South Africa who have been instructed by the missionaries, *Stoffel* 4963.

*Shrewsbury, Young & Haddy*, Messrs. Letter from them to the secretaries of the Wesleyan Missionary Society, dated 31 January 1835, on the subject of the late attack on the colonists by the Caffres, *Philipps* 1545, *p.* 182, 183——Whether the Wesleyan Missionary Society approves of their letter to the governor, approving of his proceedings with respect to the Caffre war, &c., *Coates, Beecham & Ellis* 4315–4319.

*Sichuana Language*. Portions of the Scriptures and elementary books have been printed by the Wesleyan Missionary Society in this language for the Bechuanas, *Beecham* 4402, *p.* 535.

*Skins.* The skins of wild animals given in exchange for articles of British manufacture by the Caffres, *Shaw* 1128.

*Slambie,* Chief. Attack made by him on the colonists, in consequence of the assistance rendered by the colonial government to Gaika, *Stockenstrom* 528–538.

*Slambie, T.,* Chief. Particulars respecting the commando against him and the attack made on Gaika and his people, notwithstanding the previous arrangement made with the government, *Tzatzoe* 4642–4646.

*Slavery Act.* Reason assigned by boors and farmers for quitting the colony was to avoid the operation of the slave law, *Cox* 3614——Farmers at the Cape very much displeased with it, *Cox* 3621.

*Slavery.* Extent of slavery in New Zealand, *Yate* 1767–1769——Since the introduction of Christianity among the inhabitants of the South Sea Islands, slavery has been abolished, *Coates, Beecham & Ellis* 4416-4418——The state of slaves was a thousand times preferable to that in which Hottentots and other free persons of colour in the colony were previous to the passing the 50th ordinance, *Stockenstrom* 1387, *p.* 153, *Wade* 2781——Situation of those at the Cape is not very oppressive, *Hallbeck* 3146–3148——Considerable traffic carried on between the native tribes of the Brazils and the colonists of British Guiana in slaves, *Natterer* 4249–4257——Various acts of oppression on the part of proprietors towards their slaves, *Coates and others* 4310——Memorial of certain inhabitants of St. Mary's to the lieutenant-governor of Newfoundland, on the state of slavery in which they are kept by their respective owners, *Coates and others* 4310.
*See* also *Africa,* Southern. *South Sea Islands.*

*Small Pox.* The small-pox has swept off many of the Indians, *Hodgkin* 3904——The introduction of the small-pox has reduced the number of the natives of Australia, *Trapp* 3927——Attended with very fatal effects among the natives of Upper Canada, *Beecham* 4320.

*Smith,* Dr. Sent a burning-glass, as a present, to Dingarn, King of Zoolu, with which he practised great cruelties, *Gardiner* 4019.

*Smith,* Col. *H. G.* Testimonial as to the character and conduct of Hottentots during the late war, *App. p.* 713.——*See* also *Cattle,* 4.

*Smuggling.* Carried to a vast extent in 1821 between the Caffres and settlers, from the facilities offered by the uninhabited state of the neutral country, *Philipps* 312*.
*See* also *Trade and Commerce.*

*Soap,* Manufacture of. The art of soap-boiling has been introduced among the natives of the South Seas by the missionaries, *Williams* 5667.

*Society of Friends.* See *Friends,* Society of.

*Society Islands.* Number of vessels that touch there during the year, and advantages therefrom, *Williams* 5677.——*See* also *British Manufactures. Taxation.*

*Societies.* See *Church Missionary Society. Friends,* Society of. *Glasgow Missionary Society. London Missionary Society. Moravian Missionary Society. Wesleyan Missionary Society.*

*Somerset,* Lord *Charles.* Change in the military system of the colony on his return, the principal cause of the aggressions of the Caffres, *Philipps* 889–896. 909–917——Report made to him of a combination, and intended attack on the Cape by Caffres in 1819 and 1831, entirely without foundation, *Stockenstrom* 1019–1023——Nature of the order given by him with respect to firing on Caffres in case of resistance, when the spoor of cattle could be traced to any kraal, *Stockenstrom* 2209–2224.
*See* also *Commando System. Erasmus,* Field-cornet. *Treaties.*

*Somerset,* Colonel. Obtained permission for Caffres to occupy the ground from which witness had expelled them, in consequence of the dryness of the season, *Aitchison* 132–135——Influence possessed by him over the Caffres very great, *Aitchison* 136——Opinion expressed by him of the careless manner in which the cattle of the colonists was guarded, *Stockenstrom* 976——Information communicated to him relative to a combination among the Caffre chiefs to attack the colony was wholly without foundation, *Stockenstrom* 1019.

*South Africa.* See *Africa,* South.

*South African Commercial Advertiser.* Extract from this paper of the 3d, 5th and 7th of April 1830, relative to the expulsion of Macomo, Botman and Eno from their lands by the colonial government, *Wade* 3497, *p.* 372, 373——Further extract from the same paper, of the 6th of January 1836, containing particulars of a conversation that took place at Wesleyville, on the same subject, between Dr. Philip and the Chiefs Kama and Pato, *Wade* 3510, *p.* 375, 376 —— Extract from the South African Commercial Advertiser on the subject of the commando system, and the evils likely to arise to the colonists from a continuance of that system, *Philip* 4473, *p.* 554.
*See* also *Atherstone,* Mr. *Tzatzoe,* Chief.

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*South America.* See *America*, South.

*Southey*, Mr. Was dissatisfied with the cattle he received in exchange for those stolen from him, and demanded further restitution, *Tzatzoe* 4815–4821.

*South Sea Islands.* Measures which appear to witness indispensable towards ensuring justice to the aborigines in the South Sea Islands, *Bannister* 1553, *p.* 177, 178——Intercourse with the natives of these islands might be improved by the appointment of a government agent, and nature of the powers to be confided to him, *Williams* 5598–5600. 5640–5642——The natives of the South Sea Islands are extremely jealous of the possession of a single inch of ground by any white person, *Coates, Beecham & Ellis* 4328——By the introduction of religion among its inhabitants, slavery has been abolished, *Coates, Beecham & Ellis* 4416–4418——Evidence relative to the success of the Wesleyan Missionary Society in the South Seas, *Coates, Beecham & Ellis* 4411. 4416–4418.

No instance has occurred of natives returning to idolatry after they have professed Christianity, *Williams* 5370–5372——The inhabitants of the South Sea Islands were consistent in their profession of Christianity till the introduction of ardent spirits, *Williams* 5566, 5567——Native chiefs would not object to the establishment of magistrates or agents on the islands, *Williams* 5589–5592——Present state of most of them is very satisfactory, *Williams* 5575——Malay tribe of islanders are very intelligent; quite equal to Europeans, *Williams* 5630, 5631——Great importance of these islands, both in a commercial and manufacturing point of view, *Williams* 5677.

*See* also *Agents. Agriculture. Animal Food. Arrow Root. Beef. Bread Fruit. Chairs. Children. Christianity. Coals. Cocoa Nut Oil. Corn. European Costume. Goats. Grog Shops. Houses. Human Sacrifices. Infanticide. Infant Schools. Languages. Lime. Missionaries*, 1. *Polygamy. Population. Provisions. Rice. Rope Making. Salt. Schools. Seamen. Shipbuilding. Shipping. Soap Manufacture. Spinning. Spirits. Temperance Societies. Tobacco. War. Wesleyan Missionary Society.*

*Spades.* Are in very general use among the Caffres, *Spiller* 852.

*Sparkes*, Lieutenant. His expedition into Caffreland was immediately prior to the breaking out of hostilities against the colony, *Young* 5550–5561.

*Spiller, James.* (Analysis of his Evidence.)—Cape Mounted Rifle Corps employed in expelling the Chiefs Macomo and Charlie from Mankatana, 766——Infantry seldom employed in patrolling, 767, 768——Present strength of the Cape regiment is not equal to the defence of the frontier, 769–771——Caffres very ready to abide by any treaties that may be made with them, if they knew there was a sufficient force to compel them, 772–776——Commandant must apply to the governor on all matters of consequence, 777–779——The expulsion of Macomo and Tyale considered by the colonists as a very partial measure, 780–782——Advantageous to the public service if a deputy-governor appointed, who should be allowed to act without waiting instructions from the governor, whose residence is at so great a distance from the frontier, 783–786. 815–818.

The late irruption of the Caffres caused by the expulsion of Macomo and Charlie from the Mankatana, 788–790——To the interest of the colonists to conciliate the Caffres, as they carry on a very extensive trade with them; generality of Caffres are thieves, and will take whatever temptation puts in their way, 792–810——Formerly incursions made by Dutch boors into the northern districts of the colony, for the purpose of taking the cattle belonging to the natives, 811–814——Colonists act readily under the authority of the military, 818–821——Opinion that some of the missionaries at the Cape attend more to political than spiritual subjects; some of them are very dissatisfied with the colonial government, 825–833——No instance latterly of cattle being taken from Caffres on the plea that stolen cattle had been traced into their possession, 834, 835——Very great desire among Caffres to obtain articles of British manufacture, 837——Cultivation carried on very extensively on the Chumie and vallies of the Keiskamma, 838–840.

Disputes between Caffres very frequent, arising from depredations by one tribe upon the other, 841–848. 854, 855——Principal articles of British manufacture preferred by the Caffres, and manner they pay for them, 849–853——Hottentots and Caffres are the only aborigines of Southern Africa, 855——Hottentots being located on the Kat River of very great advantage to them, 856——The expulsion of Macomo was not with a view to provide a suitable location for the Hottentots, but to punish the depredations committed by him and his followers on the colonists, 856–859——Further evidence respecting the advantages derived from the settlement of Hottentots at Kat River, and recommendation that similar settlements should be established, 860–873.

*Spinning.* Has been introduced by missionary artisans among the natives of the South Seas, *Beecham* 4416, *p.* 540.

*Spirits.* The use of ardent spirits among the native inhabitants of British settlements since their contact with Europeans has been attended with very baneful results: In New South Wales, *Broughton* 244–252—In Canada, *Gisborne* 3453–3456—In Southern Africa, *Hodgkin* 3890—In the South Sea Islands, *Coates, Beecham & Ellis* 4328–4334. 4365, *Bates* 4435, *Hodgkin* 5354–5364—In North America *King* 5378–5380. 5403, 5404, *Williams* 5770——They are sold at a very low rate at the Cape, *Bradford* 1499——The use of spirits has not been introduced among the Caffres, *Gisborne* 3456——Extract of a letter from Mr.

*Spirits*—continued.

Mr. Charles Baker, dated 9 January 1836, on the use of ardent spirits among the natives of New Zealand, and injurious effects therefrom, *Coates and others* 4288.

Europeans coming into contact with the native inhabitants of the British settlements tends to accustom them to the use of ardent spirits, *Coates, Beecham & Ellis* 4329, 4334——Very desirable to prevent, by every practicable means, the introduction of ardent spirits among the native inhabitants of countries visited or colonized by Europeans, *Beecham* 4365——Sum expended in Tahiti chiefly by the natives in ardent spirits in one year, *Beecham* 4365——Have been introduced among the Cree Indians by Europeans, *King* 5370–5378——Extract of a letter from the Rev. J. Ross to Dr. Philip, dated 13 November 1835, on the use of ardent spirits among the Caffres, and ill effects therefrom, *App. p.* 718.

*See* also *Canada. Chippewa Indians. Cree Indians. Native Tribes*, III, 4. *Porpora Island. South Sea Islands. Tahiti Islands.*

*Springs.* They are very few at the Cape of Good Hope, *Stockenstrom* 1554——Those in the colony are taken possession of by travelling bushmen, *Stockenstrom* 1554——No contest between the natives and the Dutch farmers, on taking possession of the springs, *Gisborne* 3330.——*See* also *Bushmen.*

*Starvation.* Repeated instances of the Cree Indians being starved to death, from bartering their provisions and depending for a fresh supply on the movements of the rein-deer, *King* 5388–5390.

*Stealing Cattle.* See *Caffres*, 2. *Cattle*, 1. *Commando System. Gaika*, Chief. *Infantry. Passie's Kraal. Southey*, Mr.

*Stewart*, Capt. Was tried at New South Wales for an outrage committed on some natives, but acquitted for want of evidence, *Yate* 1663, *Coates, Beecham & Ellis*, 4271–4275——Particulars respecting his trial, and its result, *Yate* 1677–1679——Extract of a letter from the Rev. S. Marsden, senior chaplain in New South Wales to General Darling, on the subject of the conduct of Captain Stewart in inviting a New Zealand chief and his family on board his vessel, under pretence of trading with them, and causing them to be massacred by a hostile tribe while there, *Coates and others*, 4269, 4270, *p.* 482.

*Stockades.* Those in New Zealand were burnt after the troops had quitted them, *Lambert* 3836–3839.

*Stockenstrom*, Capt. *Andrew.* (Analysis of his Evidence.)—Offices held by witness in the Cape of Good Hope; reason the office of commissioner-general of the eastern division was abolished, 519–522——Causes of the frontier disturbances between the colonists and the native tribes; manner of fixing boundary lines between the British Government and the natives, 523–570——Caffres very much attached to their cattle, 528——Support given by the British Government to Gaika, a Caffre chief, in assisting him to recover cattle stolen by the tribe of Slambie, and attack made upon the colonists in consequence, 528–538——Caffres would not consent to give up property without compulsory measure being resorted to, 539–546. 577——Part of the land surrendered by Gaika to the British Government he had no control over, 550–563——Questions of peace or war are solely decided by the governor for the time being, 568–570——No original boundary between the Caffre tribes and Hottentots previous to the interference of the British Government, 571, 572——Emigrants were to be located at the sources of the Kat River, 576. 582——Location at Fredericksburg was to be composed of half-pay officers, &c. 581——Arrangement entered into between Gaika and Sir Rufane Donkin, relating to the occupation of the ceded territory by British settlers, 587–594.

[Second Examination.]—Permission given to Caffres to remain on the neutral territory as long as they behaved themselves quietly, 965——Impolicy of conceding that favour to them, 965——Opinion of Mr. Shaw that the Caffres were driven from the Kat River to make way for the location of the Hottentots is quite erroneous, 965——Particulars respecting the attack made on the Tambouki kraals by Macomo, and which caused his expulsion from the Kat River, 965–969——Numerous instances of cattle belonging to the colonists being left in an unprotected state, 969–976——Fraudulent representations of robberies which have never been perpetrated causes patrols to be sent into Caffreland for the purpose of recovering cattle, and hence arises the misfortunes of the frontier, 977–979. 983——Orders given by witness that in all seizures of cattle none should be taken but what could be sworn to as colonial property, 984–986.

Report made by Erasmus of being attacked while seizing colonial cattle in Caffreland, was, on inquiry, found to be without foundation, 986–1002——Further evidence relative to seizures of Caffre cattle where no robberies have been perpetrated, 1003–1010——All attempts to civilize the Caffres of no avail, while the system of seizing their cattle continue, 1011–1014——Military force of no advantage but to those parties who wish to plunder the Caffres of their cattle, 1016, 1017——Report made to Colonel Somerset of a combination and intended attack on the colony by Caffres in 1829 and 1831 entirely without foundation, 1019–1023——Instructions received by witness did not define the duties of the military commandant sufficiently to prevent their clashing together, 1026.

No doubt that taking cattle from Caffres subsequently to 1829 was in violation of the understanding subsisting between the Government and the Caffre chiefs, 1026–1032——

*Stockenstrom*, Capt. (Analysis of his Evidence)—*continued.*

Witness resigned his office as commissioner-general from not having sufficient superintending authority, &c., and the office abolished in consequence of the recommendations made by witness, 1033-1040——Military coercion, though carried to a great extent, has not had the effect of establishing peace on the frontiers, 1041-1044——Land cultivated to a great extent by Caffres; cannot with propriety be called a nation of thieves, 1045-1047——Witness decidedly of opinion that there can be no improvement and civilization affected among the Caffres, unless there be security afforded to both colonists and Caffres, 1050-1061.

[Third Examination.]—Influence possessed by the missionaries over the Caffres and Griquas very great, and that influence was beneficially exerted during the late disturbances, 1072-1075——Suggestions for ensuring tranquillity in the colony, promoting commerce, and extending civilization among the native tribes, 1080, 1081——Witness served under Government at the colony from 1808 to 1833, when his office was abolished; reason why he resigned his situation, 1082-1806——Persons engaged in the seizure of Caffre cattle under the command of Erasmus were nearly, if not all, Dutchmen, 1087-1089——English settlers very often called on to serve on commandos, 1092-1094——So long as the system of reprisal continues, so long will the Caffres continue to plunder the colonists, 1096-1098.

[Fourth Examination.]—Extracts from certain letters written to witness by the different governors of the Cape, approving of his conduct in the management of certain offices with which he had been entrusted during his residence there, 1380-1385——Report made by witness to the colonial government in 1833 on the subject of the Kat River settlement, 1387, *p.* 150, 151——Hottentots, previous to their settlement at Kat River, in a more degraded situation than any slaves, 1388-1390. 1392——Prosperous state of the Kat River settlement in 1833, 1388-1393——Hottentots, though located on lands claimed by the Caffres, lived on peaceable terms with them up to 1832, 1394. 1399, 1400——The expense of forming this settlement very trifling, 1395, 1396——Evidence respecting the death of Hintza, a Caffre chief, while he was detained a prisoner in the governor's camp, 1401-1413——Proportion of Hottentots who were possessed of property at the time of their location at Kat River, 1414, 1415——Settlers on the Kat River are composed of Hottentots from all parts of the Cape, 1416-1419——Proclamation made by the governor of the Cape of Good Hope to Hintza, chief of the country between the Kei and the Bashee, 1427-1429, *p.* 158.

[Fifth Examination.]—Proposed regulations for affording protection to the natives and the settlers in the Cape of Good Hope, 1552-1555——In new colonies no land should be taken but by treaty, 1553-1563——Lands occupied by bushmen are very extensive, 1556——The benefit effected by missionaries more of a political than of a religious nature, 1557-1562——Necessity for some person to reside among the aborigines to act as umpire in any disputes between them and the settlers, 1568, 1569——No objection to missionaries corresponding with the authorities on political matters, 1570, 1571——Nature of the compensation to be given to bushmen for land purchased of them, 1572——Missionaries should not be employed in any political character within the colony, 1573-1578. 1580——Caffres allowed to take possession of part of the land which had been the subject of a treaty with Sir Rufane Donkin, 1582-1585.

[Sixth Examination.]—Extract of a despatch from Viscount Goderich to the officer administering the government of the Cape, dated 14 June 1827, *p.* 207——Instructions for the commissioner-general as to the duties to be performed by him, 1873, *p.* 207-209——Remarks made by witness on the instructions intended for the commissioner-general, 1874, *p.* 210, 211——Suggestions of the commissioner-general relative to the policy to be adopted with respect to the Caffres, and the occupation of the ceded territory beyond the Genappe, 1875, *p.* 211-213——Instructions to the commissary-general and commandant relative to the expulsion of the Caffre Chief Macomo, dated the 8th and 10th April 1829, 1876, *p.* 213-215——Waterboer, the chief of the Griquas, very much attached to the British Government, 1892-1895——Frequent quarrels among the colonists and Griquas, but no open collision between them, 1896, 1897——Evidence respecting the land taken possession of by the agents of the London Missionary Society, and afterwards ceded by such agents for the purposes of a Griqua settlement, 1900-1931——Settlements have been established by the missionaries beyond the British territories, and manner accomplished, 1932-1935——By whom the chiefs are appointed, 1936-1942.

[Seventh Examination.]—Evidence respecting the circumstances which caused witness to resign his situation of commissioner-general at Cape Town; nature of the complaints made by witness, and answers received by him, 1946-2095.

[Eighth Examination.]—Witness was never consulted on the appointment of any one of the field commandants or field cornets, 2114-2123——Commando against the bushmen in 1829 was issued by the governor at the instance of the civil commissioner, and without witness's concurrence, 2124-2132. 2143-2145——Reprisals of Caffre cattle expressly condemned by witness, unless made under the authority of government of the colony, 2146-2148——Treaty between the governor and the Caffres with respect to reprisals violated by the government officers, 2148-2214——Evidence respecting a report made by a field commandant on the subject of an attack made on him while seizing cattle in Caffreland, 2156-2177. 2179, 2180——Witness's recommendation for the dismissal of a field commandant for giving a false report not attended to, 2182-2192.

*Stockenstrom*, Capt. (Analysis of his Evidence)—*continued.*

Nature of the order given by Colonel Somerset with respect to firing on Caffres when a spoor of cattle could be traced to any kraal, 2209–2224——Witness was not authorized to institute an inquiry into the particulars of the reprisals made by Schessers & Gordon, in consequence of a military officer having been on the spot at the time the reprisals made, 2225–2243——Witness had no right to inquire into military proceedings; always ready with evidence to substantiate the charges made against Schessers & Gordon whenever called upon, 2232–2243——Only three commandos against Caffres during the time witness was civil commissioner; small parties and patrols constantly making incursions, 2246–2253——Period when the reprisal system first came into operation, 2255, 2256——Whether any suspension of the reprisal system took place during General Bourke's administration, 2257–2262——No beneficial results will ever follow from a system of violence upon the Caffres, 2263——Eastern frontier of the colony must for many years to come be defended by the military, 2264.

Evidence respecting the number of troops stationed at any one time during the last ten years on the frontier, 2268–2271——Extent of the eastern frontier previous to the late hostilities, 2275, 2276——Whether the substitution of armed inhabitants, and the military withdrawn, it would be attended with beneficial results, 2279, 2280——Intention of government, on the expulsion of the Caffres beyond the Keiskamma, that a sufficient military force should be stationed along the frontier for the protection of the British settlers, 2281–2286——The only means of maintaining the tranquillity of the colony is by a proper administration of justice, cultivation of trade and commerce, and civilization, 2291–2294.

[Ninth Examination.]—Statements contained in Mr. Bruce's letters on the condition of the Cape very incorrect in a great many instances, 2295–2299——Vagrancy increased immediately after the emancipation of the Hottentots; conduct of the Hottentots previous to emancipation very irregular; their general character, 2300–2314. 2316–2321——Nature and extent of the improvements in the condition and character of Hottentots after their settlement at Kat River, 2327–2331——Number of Hottentots located there, 2332–2335——Opinion in favour of the system adopted at Kat River with regard to location of Hottentots, 2336–2338——Whether vagrancy prevails to any great extent at the Kat River settlement, 2341–2347——Missionaries ought not to have the power of inflicting civil punishment on persons attached to their institutions, 2361–2363.

Hottentots should not be made a separate people, but it is impossible to avoid exclusive colonization, as an English or a Dutch settler will not take a grant with which a Hottentot would be perfectly satisfied, 2364–2368——Whether in any case possession of the springs and lands of the natives was obtained by fair bargain, and an equivalent paid for it, 2369, 2370——Commando system was forced upon the colonial government from necessity; abuse of the commando system from its execution being entrusted to all magistrates indiscriminately, 2371–2377——In the present disturbed state of the colony it is impossible to do without the military, 2378–2381——The appointment of the Chief Kok on the Orange River was made by the Griquas, and sanctioned by the colonial government, 2381, 2382——Evidence respecting the character of Macomo, and whether any treaty entered into with him would be binding on him, 2383–2389.

[Tenth Examination.]—Amicable arrangements being entered into between the Caffres and colonists decidedly preferable to supporting a military force sufficient to protect the colonists against the depredation of their enemies, 2393–2397.

[Eleventh Examination.]—Letter from witness to the Chairman of the Committee dated 1st April 1836, containing observations on the incorrectness of the affidavits produced by Colonel Wade, and enclosing certain documents to show that incorrectness, 2800–2809——Witness was never required by the colonial government to produce any evidence in support of the charges brought against Erasmus, although he was dismissed the service in consequence of those charges, 2802–2809.

*Stockenstrom*, Capt. Instructions received by witness did not sufficiently define the duties of the military commandant, so as to prevent their clashing together, *Stockenstrom* 1026——Extracts from certain letters written to witness by the different governors of the Cape, approving of his conduct in the management of certain offices with which he had been entrusted during his residence there, *Stockenstrom* 1380–1385——Evidence respecting the circumstances under which the address of the English settlers in the Albany district was presented to him, requesting him to reside at Graham's Town instead of at Uitenhage, *Philipps* 1534–1539——Extracts from certain letters written by him to Colonel Bird, dated the 12th and 18th February 1819, containing his opinions as to the measures necessary to be pursued towards the Caffres, who were at that time overrunning the district of Albany, *Wade* 3558, *p.* 423–425——Was distinctly told by the governor, if there was evidence sufficient to substantiate the charge against Erasmus he should not go unpunished, *Wade* 3558, *p.* 414——Was a very proper person to have the formation of a settlement on the principles of the Kat River settlement, *Read* 5235——Infant school at Balfour was supported by monies raised by him, *Read*, jun. 5111——Witness has no means of replying to the charges made by Captain Stockenstrom against him, from their general character, *Philip* 5327.

*See* also *Erasmus*, Field-cornet. *Infant Schools*. *Kat River Settlement*.

*Stock-keepers.* Outrages committed on them and their labourers by the natives merely an act of retaliation on their part for injuries received from the stock-keepers, *Yate* 1830-1835.

*Stockmen.* Are the principal individuals with whom the female aborigines of New Holland cohabit, *Coates, Beecham & Ellis* 4288——They are in general ticket-of-leave men, convicts holding a ticket of leave from the government, *Coates* 4348——Control possessed by government of New Holland over them, *Coates* 4348——The extension of a vigilant and active police throughout those parts of New Holland where the stockmen reside would in a great measure prevent illicit intercourse with the natives, *Coates* 4348.
*See* also *Religious Instruction.*

*Stoffel, Andrew.* (Analysis of his Evidence.)—Native of South Africa, and a settler at Kat River, 4938-4942——Evidence relative to the condition of the Hottentots at the time Dr. Vanderkemp and Mr. Read came to Bethelsdorf, 4943-4960——At this period the Zuurveldt was occupied jointly by Caffres and Hottentots, 4953-4958——Great improvement in the character and condition of the Hottentots, since the first arrival of the missionaries, 4961-4966——Number of Hottentots have decreased where they have been left to Europeans, but have increased where they have belonged to the missionary institutions, 4967-4972——Some of the Hottentots that went to the Kat River in 1829 had property; manner in which those supported themselves who had none, 4974-4978——Frequent instances of cattle and horses being lost, and which it was supposed the Caffres had taken, which were afterwards found, 4982, 4983.
Cattle stolen from Kat River principally traced to Chusa's Caffres, 4985-4987——Caffres made an attack on the settlement at the commencement of the war, but they were repulsed, 4991-4994——Hottentots at the Kat River were ordered out against the Caffres as soon as hostilities commenced; they went very readily, 4998-4999——Part of them are still with the army, but would be very glad of their discharge, 5002, 5003——Witness got no pay while with the army; the governor made a present of some cattle, 5005, 5006. 5009, 5010——Particulars respecting the last interview between Macomo and Dr. Philip, 5013-5016——Dr. Philip advised the Caffres not to take arms against the colony, 5017, 5018——The boors attacked the government because they would not permit the Hottentots to be made their slaves, 5020-5025——The passing of the 50th ordinance and the establishment of the Kat River settlement were a great benefit to the Hottentots, 5026.
Caffres and the boors used to war with each other in the Zuurveldt, 5031-5035——Hottentots were not reduced in their numbers from their wars with the Caffres, but by the boors, who used to tie them up and shoot them, 5039-5046. 5052, 5053——Opinion of Hottentots and Caffres that they are under great obligations to the missionaries for protecting them against the aggressions of other Europeans, 5047, 5048. 5055-5068——Evidence as to the nature of the oppression under which Hottentots labour from European treatment, 5057-5067——Complaints of a Hottentot are never well received by the magistrates, 5061——Education is wanted among the Hottentots, 5069——Witness never experienced kindness from other Europeans than missionaries, 5074-5078.

*Stolen Property.* By the Caffre laws ten times the value of the property stolen is ordered to be restored, *Gisborne* 3474-3480. 3482.

*Store Shop.* See *Wesleyville.*

*Stretch,* Capt. Extract of letters from him in testimony of the good conduct of the Hottentots during the late war, *App. p.* 716, 717.

*Streets.* Part of the taxes at the Cape are appropriated to the repairs of the streets, but very sparingly and reluctantly given, *Philipps* 929.

*Stuurman.* The leader of a very powerful banditti, and who had set the power of the colony at defiance, *Philip* 5327, *p.* 527.

*Sugar.* Quantity of sugar made in the island of Tahiti last year, *Williams* 5688.

*Sugar Cane.* Is cultivated to great advantage in the South Sea Islands, *Beecham* 4416, *p.* 541.

*Sugar Mills.* Have been made and introduced among the natives in the South Seas by the missionaries stationed there, *Williams* 5623, 5667. 5688.

*Sunday River.* The country in its immediate vicinity completely deserted when witness passed through in 1835, *Beresford* 2420——Not many crops in the neighbourhood of the Sunday River; it is mostly grass, *Beresford* 2420——Since 1798, the country between this river and the Fish River has been fixed as the boundary of the colony of the Cape, *Philip* 5714.

*Sunday Schools.* Number of persons attending those established at the Kat River settlement, *Bradford* 1496-1498.

*Sunday Trading.* Entirely prohibited among the Hottentots at the Kat River, *Philip* 5445.

*Superstition.* Very great degree of superstition among Caffres, to which they are very much bigotted, *Shaw* 685. 689.

*Supreme Courts of Judicature.* An extension of the jurisdiction of the supreme courts of the Cape of Good Hope to cases of murders, and other crimes or injuries committed by the colonists on the persons or property of aborigines beyond the boundary, recommended, *Philip* 5327, *p.* 626.——*See* also *Colonial Courts of Justice.*

*Surf Boats.* All articles imported to Algoa Bay are landed in surf boats, *Philipps* 932.

*Sutton,* Lieut. Cattle taken by him, under the commando, were grazing on land claimed by the Caffres, and not on land within the boundary of the colony, *Philip* 4497–4507——His expedition into Caffreland was immediately prior to the breaking out of hostilities against the colony, *Young* 5550–5661.

*Swan River.* Measures which appear to witness indispensable towards ensuring justice to the aborigines of the Swan River, *Bannister* 1553, *p.* 174.

*Sydney.* Extent of the ecclesiastical establishment there, *Yate* 1797, 1798——Habits of the natives of Sydney have undergone a very great change, *Yate* 1859, 1860——Suggestions for improving the condition of the native tribes of Sydney, *Broughton* 281–295.
*See* also *Charms. Colonial Courts. Flinder's Island. Kangaroo. Labour. Native Tribes,* II, 4. *Scott,* Archdeacon.

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*Tables.* English residents at Port Natal have no tables in their houses, *Gardiner* 4020.

*Tahiti,* Island of. Population of the island of Tahiti, now, and as estimated by Capt. Cook, *Coates, Beecham & Ellis* 4328——Population of, has decreased from the use of ardent spirits, and the introduction of European diseases and fire-arms, *Coates, Beecham & Ellis* 4328——Population of the island has increased since the introduction of Christianity among the natives, *Coates, Beecham & Ellis* 4328——The inhabitants thereof have become industrious and sober people since the arrival of the missionaries there, *Coates, Beecham & Ellis* 4328*.
The Tahitians have a simple, explicit and wholesome code of laws as the result of their imbibing Christianity, *Beecham* 4418——The Tahitians have a representative government and trial by jury, *Williams* 5646, 5647. 5650–5656——Number of ships that touch there annually, *Williams* 5677——Great quantity of British manufactures are imported into these islands annually, *Williams* 5677——The government of this island have passed a law not to trade with ships that come there for the purpose of introducing spirits among them, *Williams* 5651.
*See* also *Agents. British Manufactures. Shipping. Spirits. Sugar. Taxation.*

*Tailors.* There are several tailors in Gnadindahl, *Hallbeck* 3172.

*Tambookie Tribe.* Great number of those who fled into the colony for protection were murdered by Caffres belonging to Macomo, *Stockenstrom* 965——Are a very quiet people, *Stockenstrom* 966——Very few instances of a plundering disposition being shown by them, *Dundas* 1152——They will not join the Caffres in any incursion against the British settlers at the Cape, *Dundas* 1237——Missionary settlement connected with the Moravian Missionary Society among the Tambookies, and progress made with reference to the objects thereof, *Hallbeck* 3092–3100.——*See* also *Cattle,* 4.

*Tambuckland.* Complaints made by Caffres in Tambuckland was against the boors and not the English settlers, *Bradford* 1462.

*Tan Yard.* A tan yard has been established at Gnadindahl since witness first went to reside there, *Hallbeck* 3172.

*Tapuing.* Is a material obstacle to the civilization and improvement of the natives of the southern islands of New Zealand, *Yate* 1635——Custom of tapuing nearly extinct in the northern part of New Zealand through the agency of the missionaries, *Yate* 1635–1641.

*Taxation.* A number of small taxes would be done away with if the duty on importation of goods to Albany was increased, *Philipps* 927——Are all paid into the treasury at Cape Town, *Philipps* 929——Under whose direction and for what purposes they are applied, *Philipps* 929——The boors complain a great deal of the taxes generally in the colony, more on account of their poverty than from the amount, *Gisborne* 3337——There is a regular system of taxation in the island of Tahiti, and in one or two of the Society Islands, *Williams* 5656.

*Teachers.* See *Native Teachers.*

*Temperance Societies.* Nowhere have temperance societies succeeded half so well as among the Hottentots, *Stockenstrom* 1387, *p.* 151——Were introduced into the Kat River settlement through the efforts of the missionaries and at the request of the settlers, *Stockenstrom* 1391——Number of Hottentots belonging to the temperance society at the Kat River settlement, *Bradford* 1501, *Read* 3235——The establishment of temperance societies in the British settlements have been attended with great success, *Beecham* 4365——Reason they have not been introduced in certain islands in the South Seas, *Williams* 5572——Beneficial effects of their establishment in certain islands in the South Seas, *Williams* 5651.

*Theophilus,* Village of. This village afforded a safe asylum for the colonists during the late war, *Shaw* 1070.

*Theopolis.* Memorial of the inhabitants and residents at this missionary station against the passing of the ordinance for the suppression of vagrancy, *App. p.* 747, 748.

*Thierry*, Baron de. A person under this title has announced his intention to establish in his own person, an independant sovereignty in New Zealand, *Coates* 4366.

*Thieves.* The generality of the Caffres are thieves and will take whatever temptation puts in their way, *Spiller* 792–810——Caffres are by nature thieves, *Dundas* 1156–1158——They cannot with propriety be called a nation of thieves, *Stockenstrom* 1045–1047——When thieves are discovered by the Caffres they are punished very severely, *Tzatzoe* 4826.
*See* also *Caffres*, 2. *Rarotonga Island.*

*Thompson*, Rev. Mr. Great exertions have been made by him to civilize the Caffres immediately on the frontier of Albany, but with very little success, *Dundas* 1294–1296——Opinion expressed by him that the speech delivered by Macomo at the missionary meeting in 1833 at the Kat River, had by translation lost half of its power and beauty, *Read*, jun. 5185——Infant school established by him at Balfour, *Read*, jun. 5111.

*Threlkeld*, Mr. The exertions made by him in improving the condition of the native tribes of New South Wales have not been wholly unsuccessful, and suggestions for continuing him in his pesent situation, *Broughton* 297–304.

*Ticket-of-leave Men.* See *Stockmen.*

*Tillage Grounds.* See *Caffres*, 2.

*Tobacco.* A manufactory for the purpose of making tobacco has been established in Gnadindahl, *Hallbeck* 3172——Is grown in the South Sea Islands, *Beecham* 4418——The high duty fixed by the government of New South Wales prevented that grown in the South Sea Islands realizing the expectations which had been formed, *Williams* 5636.

*Tongatabu Island.* Missionary stations have just been formed there, *Williams* 5606.

*Tontine.* See *Land.*

*Tracts of Land.* See *Missionary Stations.*

*Trade and Commerce.* Extent to which it is carried on between the Caffres and settlers in Albany, *Philipps* 319*——Very little traffic between the Caffres and the colony, except in contraband goods, *Shaw* 606——Trade between the colonists and Caffres was carried on to a very great extent previous to the late irruption, *Rutherford* 4181–4184——To the interest of the colonists to conciliate the Caffres, as they carry on a very extensive trade with them, *Spiller* 792–810——Between the Caffres and the colonists has been productive of the greatest possible benefit, *Philipps* 903——Advantages to be derived from the appointment of an agent to superintend and make arrangements for carrying on the trade between the settlers and Caffres, *Philipps* 340–345——Suggestions for promoting commerce between the Caffres and the colonists, *Stockenstrom* 1080, 1081.

Advantages that would be derived from establishing the same system in regard to dealings with the natives of South Africa as are observed with the border natives of India, *Bradford* 1469-1473——Would be the most likely to extend the influence of Great Britain among the native tribes at the Cape, *Stockenstrom* 2394——Is considered the greatest power that Great Britain has been able to exercise in the civilized world; it would have the same effect on barbarians, *Stockenstrom* 2394——Arrangements for the extension of commerce with the Caffre tribes failed until the missionaries had fully established themselves, *Shaw* 1101——Commercial enterprise among the colonists very great, *Shaw* 1126–1128——Ordinance issued by General Bourke for facilitating commercial intercourse with the Caffres, *Wade* 2770—— Cattle and hides are the principal articles the Caffres have for sale, *Gisborne* 3437.

Natives of New Zealand expected that a trade would have been established with them on delivery up of the captives, *Marshall* 3666–3675——There are two modes of carrying on the trade between the Zoolu country and Port Natal, *Gardiner* 4096–4099——Missionary stations being formed in the British settlements, will promote commerce, *Coates, Beecham & Ellis* 4347——The means of subsistence of the Cree Indians has been diminished, from the mode of conducting the British trade, *King* 5380–5387. 5410, 5411.
*See* also *Agents. Caffres. Cape of Good Hope. War.*

*Traders.* Licensed traders are allowed to go into Caffreland; the majority of them very respectable, *Philipps* 334–339——Complaints against some of the English traders in Caffreland, *Bradford* 1465——Protection afforded those in Caffreland by Gaika's widow, when the war commenced, *Cox* 2859——Some of them were murdered previous to the arrival of the troops in Caffreland, *Cox* 2857–2865. 2900–2902——Those who were murdered were living in Caffreland under the protection of the chiefs, and had given no offence, while the Caffres had attacked the colony, and murdered every person they got hold of, *Cox* 2938–2953. 2956–2967.

Could not have resided in Caffreland without permission of the chiefs, *Cox* 2962, 2963——Very desirable that measures should be adopted at Port Natal for the purpose of preventing the traders injuring the natives, *Gardiner* 4100——Were obliged to have a licence to go into Caffreland, *Read* 5268——They will be enabled to prosecute their commercial enterprises with advantage from the establishment of missionary stations, *Coates, Beecham & Ellis* 4347.
*See* also *Civil Commissioners.*

*Transfer Office.* All transfers of property are entered at the office in Cape Town, *Hallbeck* 3101–3110.

*Trapp, Thomas.* (Analysis of his Evidence.)—Resident 15 months in New Zealand, 3929——Injurious effects produced on the natives of New Zealand from their intercourse with Europeans, 3930–3936——The British resident at New Zealand is not armed with sufficient powers, and nature of those to be granted him, 3937–3940. 3943, 3944——New Zealanders are a strong powerful race; very courageous and very intelligent, 3945–3950——Number of English residents in New Zealand, 3953——Missionaries stationed at New Zealand have made considerable progress in disseminating Christianity among the natives; increase in their numbers would be very acceptable to the natives, 3954–3962.

*TREATIES:*

1. *With the Caffres.*
2. *With the Zoolahs.*

1. *With the Caffres:*

Condition of the treaty made in 1819 between Lord Charles Somerset and the Caffre Chief Gaika; circumstances that gave rise to it, and manner in which it has been kept, *Aitchison* 10–60——It was founded in injustice, and was the source of great dissatisfaction between the natives and the colonists, *Shaw* 623–626——All treaties made with Caffres to be translated into their language, and copies to be furnished to each chief with whom they are made, *Shaw* 664——All treaties with the Caffres to be in writing, and given to the chiefs, and a copy preserved in the colonial courts, *Beecham* 4364.

Treaties should be entered into with the Caffres, *Stockenstrom* 1553——In new colonies no land to be taken from the natives unless under a treaty, *Stockenstrom* 1553. 1563——Many misunderstandings have arisen with the Caffres in consequence of former treaties having been verbal, *Beecham* 4364——Separate treaties must be made with all the principal Caffre chiefs, and each be held responsible for his own engagements, *Beecham* 4364——Any treaty made with Hintza would not be binding on the other chiefs, unless they were present and discussed the matter, *Tzatzoe* 4615——Indulgence granted to Hintza's son to fulfil the treaty made with his father, *Beresford* 2636, 2637——The colonial government should enter into written treaties with the chiefs, and the punctual fulfilment of the stipulations in favour of the native chiefs strictly attended to, *Philip* 5327.

The treaty made with the Caffres on their expulsion from the territory between the Fish River and the Keiskamma, is not generally acknowledged, *Philip* 5748, 5749——Beneficial results to be expected from the late treaty with the Caffres, if no alteration is made in the boundary marked out, *Gardiner* 4146–4148——The Caffres are very ready to abide by any treaty that may be made with them, if they knew there was a sufficient force to compel them, *Spiller* 772–776——Opinion that the Caffres are not likely to abide by the treaty lately made with them, unless under the chastisement of the English laws, *Gardiner* 4137–4140.

2. *With the Zoolahs:*

Nature of the treaty entered into with Dingarn, the sovereign of the Zoolu country, and the inhabitants of Port Natal, *Gardiner* 3976——Witness requested by the British settlers at Port Natal to negociate a treaty with the King of the Zoolahs, to prevent his army from coming down and murdering the settlers there, *Gardiner* 3973–3977——Treaty made with Dingarn not to encourage deserters from the Zoolu country at Port Natal, and principle which influenced witness in agreeing to it, *Gardiner* 3995. 4028–4071——The governor of the Cape of Good Hope entirely concurred in the treaty made by witness with Dingarn, *Gardiner* 4090–4095.

*See* also *Australian Colonies. Boundaries. Caffres*, 2. *Gaika*, Chief. *Macomo*, Chief. *Reprisals. Shawnees.*

*Trial by Jury.* See *Tahiti Island.*

*Tribes. See each Tribe under its respective Name.*

*Trigala to Umzimcoolu.* The country between the Trigala River to Umzimcoolu is fit for agricultural purposes, but a great part of it is bare of wood, *Gardiner* 3997.

*Tyalie*, Chief. One of the most troublesome and turbulent chiefs amongst the whole of the Caffres, *Wade* 2781——Did not offer any resistance to the order of the colonial government for his removal beyond the colonial boundary, *Wade* 2781——The Chief Tyalie and his people were removed from the Muncassanna by order of Sir Lowry Cole, *Wade* 2782——Has risen to his present situation by being shrewd and clever, *Read* 5254.

*Tzatzoe, John.* (Analysis of his Evidence.)—One of the chiefs of Caffreland, 4544——Number of persons subject to his authority, 4545——Witness, nor his people, took any part during the late invasion of the colony, and reason they did not, 4547–4551——There was no meeting of the chiefs to decide upon the invasion, or witness must have heard of it, he having a voice in these matters, 4552–4554. 4616. 4632——Hintza sent a message to the border chiefs to abstain from hostilities, 4555. 4611. 4617. 4633——Witness gave great offence to the Caffre chiefs because he would not engage in the attack on the colony; he afterwards assisted the colonial government against the Caffres in self defence, 4556–4572——Number of men furnished by witness, and remuneration they received, 4573–4580——Witness's tribe never accused of stealing cattle previous to the war; no instance of a patrol being sent among witness's people, 4581–4585.

Witness

*Tzatzoe, John.* (Analysis of his Evidence)— *continued.*

Witness used frequently to settle disputes between Caffres and traders; the fault generally lay with the traders, 4586–4588——Sometimes the Caffres attach great value to buttons, 4589–4591——Average value of oxen in Caffreland, 4593, 4594——Witness considers that the shooting of Xo-Xo, the son of Gaika, was the cause of the war, 4598–4602——Any injury committed on the person of a Caffre chief is regarded by them as a very great provocation, 4603–4606——Hintza is considered the king of the Caffres; any insult being offered to his people he could not restrain them from making war against them, 4611–4614——Any treaty made with Hintza would not be binding unless all the chiefs were present and discussed the matter, 4615——Xo-Xo was wounded on what was called the neutral territory, between the Keiskamma and the Fish River, and examination thereon, 4619–4631——Caffres never gave the ground to the English, they took it without the consent of the chiefs, 4625, 4626. 4628.

Reason that Hintza did not call a meeting of the chiefs to arrange going to war was, that the Caffres had attacked the colony previous to his being aware of the fact, 4634. 4635——The English attacked the Caffres first by sending their patrols into Caffreland, 4636, 4637——Evidence respecting the commando under Colonel Fraser, and arrangement made with Caffre chiefs that Gaika was to be answerable for the return of all colonial cattle stolen from the colony, 4638. 4640——Arrangement also made that the Caffres or colonists were not to pass the Fish River, 4639–4642——Particulars respecting the commando against T. Slambie, and the attack made on Gaika's people, notwithstanding the previous arrangement with the government, 4642–4646.

[Second Examination.]—Evidence respecting the interview between Dr. Philip and several Caffre chiefs a short time previous to the war, 4647–4663——Dr. Philip always impressed upon the chiefs the necessity of having their children educated, 4650–4651. 4655–4658——Caffre chiefs had no impression that Dr. Philip was sent as an authorized negociator, 4655——Witness never heard Dr. Philip make use of language calculated to excite the Caffres, but, on the contrary, always recommended the chiefs to cultivate peace with the colony, 4658–4660——Labours of the present missionaries have made some impression on the Caffres, but not equal to that made by those of the late Mr. Williams, 4667–4676——The excitement caused by the commando and patrol system has prevented the Caffres from giving that attention to the instruction of the missionaries which they otherwise would have done, 4677–4681.

The missionaries had established a place of public worship connected with witness's tribe, and number of persons generally attending previous to the late war, 4682–4687——An infant as well as a school for older children established by the missionaries, and number of children attending them, 4688–4692——Witness travelled in the company of an escort from King William's Town to Fort Wellington in April 1835, but does not recollect a Caffre firing upon the escort, and examination thereon, 4693–4710——Witness never heard that Mr. Read had held a number of meetings of Caffres, and at those meetings had instigated them to attack the colonists, 4711–4720——Witness composed the letters which appeared in the Cape newspaper under his signature without any assistance from Mr. Brownley the missionary; they were translated into the English language by Mr. Read, jun., 4727–4741——Cause of witness's visit to this country was to give evidence before the Committee on the complaints of the Caffres, 4750–4771——Answers given to witness have been entirely from the impulse of his own mind, 4768–4771.

Caffres have a great number of horses now, more than they had at the time of the interview between Gaika and Lord Charles Somerset, 4772–4777——They have goats, but no sheep, 4778–4779——Average price of goats in Caffreland, 4780, 4781——Caffres have rather decreased in number and possessions during the last 16 years, 4782, 4783——Manner in which witness was employed during his residence at the Cape, 4794–4800——Witness learned the trade of a carpenter at the Cape, 4800, 4801——Witness obtained permission from Colonel Smith to go to Cape Town, and then obtained permission from the governor to come to England, 4806–4810——Colonists are dissatisfied with the cattle returned by Caffres, 4813–4821——Several instances in which Caffres who knew nothing of the cattle stolen have been visited by a commando, and made to pay, 4824–4827——Macomo would not have been above learning a trade if he had had an opportunity, 4837–4841.

[Third Examination.]—Witness sometimes acts as an assistant to the missionaries, 4849–4855——Instruction being given in Christianity, agriculture and other arts introduced among the natives by Europeans would be a recompense for the wrongs inflicted on them, 4856, 4857——Witness's ground of complaint that when patrols enter Caffreland they bring away cattle belonging to Caffres who are innocent of having taken cattle from the colonists, 4858–4864. 4929–4932——No reason assigned by the government for taking witness's land, 4865–4869——It is not true that the presence of the Hottentots attached to the missionary stations in Caffreland are injurious to the good understanding at present existing between Caffres and colonists, 4870–4872——Evidence respecting the cause which induced witness to come to England to make his complaint for the loss of his land rather than prefer it to the governor at the Cape, 4873–4893——Number of witness's tribe, and number he was enabled to muster to assist the English in the late Caffre war, 4894–4897——Further evidence respecting the seizure by the government of witness's land without giving any compensation, 4904–4920——Number of cattle appropriated to witness for his services during the war, 4921–4925.

*Tzatzoe*, Chief. Letters, under his signature, in the South African Commercial Advertiser, in support of Mr. Bruce's statement, were not written by him, but by Mr. Brownley, one of the missionaries of the London Missionary Society, *Wade* 3505——Affidavit made by Mr. Atherstone respecting conversation between him and this chief on the subject of the above letters, *Wade* 3558, *p.* 392, 393——Evidence respecting his character and standing in society, *Read* 5245–5255.——*See* also *Atherstone*, Mr. *Bowker*, Mr.

U.

*Uitenhage*, (Albany.) No boors to be found there when witness first went to Africa, *Read* 5235.

*Uitenhage*, Magistrate of. Correspondence of, with the Rev. J. Kitchingman, relative to the Caffres resident at Goral, *App. p.* 737–740.

*Umzimcoolu River*. Is never dry; it has a large body of water of considerable depth, *Gardiner* 4130.——*See* also *Trigala to Umzimcoolu*.

V.

*Vagrancy and Vagrant Act:*

1. *Generally.*
2. *Vagrant Act.*
3. *Papers laid before the Committee.*

1. *Generally:*

The Dutch law, with respect to vagrants, very severe, *Dundas* 1142——Laws of the colony quite sufficient to prevent Hottentot vagrancy, if no land had been granted them on their emancipation, *Stockenstrom* 1387——Colonial laws, on the subject of vagrancy, do not apply to Hottentots, *Wade* 2781——Unanimous opinion of the judges that so long as the second section of the 50th ordinance remained unrepealed Hottentots could not be arrested on a charge of vagrancy, *Wade* 2781——To a very considerable extent took place on the emancipation of the Hottentots at the Cape, *Stockenstrom* 1389. 2300–2314——Existed to a considerable extent among the Hottentots for some time after their emancipation, *Wade* 2781——Whether it prevails to any great extent at the Kat River settlement, *Stockenstrom* 2341–2347——General disposition among the natives of South Africa to wander from their homes, and thus become vagrants, *Hallbeck* 3113–3121. 3128–3135.

2. *Vagrant Act:*

Only one petition presented for or against the vagrant law, as proposed by the governor to the legislative council, *Wade* 2795——Memorial in favour of its passing into a law was signed by about eighty persons, *Read* 5235——Memorial from Hottentots at the Kat River settlement against the proposed Act was signed by upwards of 400 persons, *Read* 5235——The disturbed state of the Hottentot locations arising out of the discussions on the vagrant law was very near proving fatal to them during the Caffre war, *Wade* 2795——Extract from Dr. Philip's memorial to the legislative council on the subject of the Vagrant Act, *Wade* 2798——Letter from Dr. Philip, on the subject of the second ordinance for the suppression of vagrancy, *App. p.* 757–763.

It would have been a very great injury to the farmers, and to the aborigines themselves if the vagrant law, as proposed, had passed, *Hallbeck* 3122, 3123. 3132. 3136, 3137——Opinion that a vagrant law is an unnecessary restriction of the right which ought to be possessed by every person of disposing of their labour to the best advantage, *Hallbeck* 3124-3127——Object of the proposed vagrant law that all persons should be furnished with passports, which would have been extremely injurious to labourers, *Hallbeck* 3139-3145——The meeting to petition against the Vagrant Act calmed the fears of the Hottentots with respect to its introduction, *Read* 5281, 5282——A vagrant law is not necessary for the Cape, *Philip* 5450–5452——Brief history of the Vagrant Act proposed to be introduced into the colony in 1834, and steps taken by witness to prevent its passing, *Philip* 5452, *p.* 646.

3. *Papers laid before the Committee:*

Draft of an ordinance proposed by the governor of the Cape of Good Hope to the legislative council, for the better suppression of vagrancy in the colony, *App. p.* 723——Letters from Dr. Philip to the editor of the Cape Town Newspaper, dated 14th and 21st May 1834, on the subject of the ordinance submitted to the legislative council of the Cape for the suppression of vagrancy, *App. p.* 724-729——Memorial of John Philip, D. D., superintendent of the London Missionary Society's missions in South Africa, against the passing the ordinance for the suppression of vagrancy at the Cape, *App. p.* 729–731.

Memorial of Hottentots and free people of colour at the missionary institution of Pacaltsdorp against the passing the ordinance for suppressing vagrancy, *App. p.* 742–745——Similar memorial from Bethelsdorf, *App. p.* 745–747——Similar memorial from Theopolis, *App. p.* 747, 748——Similar memorial from the Kat River settlement, *App. p.* 748, 749——Letter from the Rev. J. Kitchingham, dated 13 June 1834, to Dr. Philip, containing his opinions on the proposed Vagrant Act, *App.* 739, 740——Extracts of letters from the Rev. H. Helme, dated 2d and 23d June 1834, on the subject of the vagrant

*Vagrancy and Vagrant Act*:—3. *Papers laid before the Committee*—continued.

vagrant law, *App. p.* 742——Proceedings of the legislative council of the Cape on the ordinance for the suppression of vagrancy, *App. p.* 749-757——Letter from Dr. Philip on the subject of the second ordinance for the suppression of vagrancy, *App. p.* 757-763.

*See* also *Bethelsdorp. Cape of Good Hope. Pacaltsdorp. Peasantry. Philip*, Dr. *Political Meetings. Read*, Mr.

*Vanderkemp*, Dr. Wrote many letters to General Dundas, stating the treatment the Hottentots received from the boors, and representing their miserable condition, *Read* 5235——The difficulties experienced by him in obtaining redress for the Hottentots tended to shorten his life, *Read* 5242. 5244.

*Vanderleur*, General. Was sent from Cape Town to repel the insurrection among the boors, and to drive the Caffres over the Fish River, *Read* 5235.

*Van Diemen's Land.* Particulars respecting the removal of native tribes from Van Diemen's Land to Flinder's Island; causes which led to their removal, and manner effected, *Broughton* 305-316——Is an eligible place for convicts, *Yate* 1837——The removal of the natives from Van Diemen's Land has not been attended with beneficial consequences, *Hodgkin* 5348——Whether the natives of Van Diemen's Land assimilate in disposition to the inhabitants of New South Wales, *Broughton* 317-319.

Measures which appear to witness indispensable towards ensuring justice to the aborigines of Van Diemen's Land, *Bannister* 1533, *p.* 177——Native population of Van Diemen's Land has been very nearly exterminated, *Hodgkin* 5365, 5366——Letter from Mr. Arthur to T. F. Buxton, Esq., M. P., dated 18th September 1834, on the subject of emigration to Van Diemen's Land, *Ev. p.* 679——Letter from Mr. Backhouse to T. F. Buxton, Esq. M. P., dated 22d October 1834, containing suggestions on the location of British subjects in Van Diemen's land, *Ev. p.* 680, 681.

*Volunteers*, Corps of. Very desirable that the inhabitants of Albany should form themselves into a corps of volunteers on some well understood system, *Shaw* 739.

## W.

*Wade*, Colonel *Thomas Francis.* (Analysis of his Evidence.)—Offices held by witness during his residence at the Cape of Good Hope, and length of time they were respectively held by him, 2765-2767——Nature and extent of the alteration in the system observed towards the Caffres and other natives during the government of General Bourke, and circumstances which compelled them to be abandoned under the government of Sir L. Cole, 2770-2784.

[Second Examination.]—Extracts of letters received by witness from official persons connected with the government at the Cape, relative to certain parts of the evidence taken before the Committee of last Session, 2785——Deposition taken before the civil commissioner for Albany and Somerset, respecting the commando under Erasmus, during the execution of which the Chief Zeko was killed, 2785-2793——Further evidence respecting the alteration made in the system observed towards the Caffres and other tribes during the respective governments of General Bourke and Sir L. Cole, and causes which gave rise to the alterations therein, 2794-2799.

[Third Examination.]—Great dissatisfaction produced in the minds of the Caffres from the communication made by Dr. Philip to Botman in 1830, and manner it was manifested, 3494-3510. 3516-3526——Opinion that it is the duty of missionaries, before giving advice (which is capable of misinterpretation) to uncivilized tribes, to use all the means in his power with his own government, 3519, 3520. 3527——Ordinance emancipating the Hottentots was the act of Sir L. Cole, without any assistance from Dr. Philip, 3524-3526——Caffres were greatly induced to make the war by the dependence they placed upon the Hottentots joining them, 3528——Further evidence respecting the communication made by Dr. Philip to Botman, and evils arising from its not being realized, 3529-3533——General impression on the frontier that Dr. Philip was employed by the government to hold communications with the Caffre chiefs, 3533-3542——Witness would not place any reliance in the Caffres, 3542.

Further depositions relative to the commando into Caffreland under Erasmus, and at which Seco was killed, 3543, *p.* 381-386——Statement made by Field-cornet Erasmus, in answer to the charges brought against him by the commissioner-general, 3543, *p.* 386-388——Depositions produced by witness were taken on oath before the magistrate of the Albany district, 3544, 3545——Evidence on the state of the Hottentots in the Kat River settlement previously to the late war, on the dependence placed by the Caffres on them; and certain proceedings of the missionaries with regard to that irruption, 3546-3557——Observations on the cruelties of the commando system, and extracts from public works written on the same subject, 3558, *p.* 393-431.

*Wade*, Mr. *W. R.* Extract from his letter, dated 10 January 1835, on the pleasure expressed by the natives at the introduction of a printing press into New Zealand, *Coates, Beecham & Ellis, p.* 523.

*Wages.* Average wages of Hottentots, *Read* 5235——At Bethelsdorf, *Read* 5235——At Port Elizabeth, *Read* 5235.——*See* also *Herdsmen.*

*Waggons.* Have been introduced at Wesleyville, *Shaw* 673, *Beecham* 4402 ——Hottentots have been instructed in the art of making waggons by the missionaries, *Stoffel* 4963.

*Wallace Island.* See *Oldham,* Whale Ship.

*Warren,* Mr. Letter from Mr. Kayser to the editor of the South African Commercial Advertiser, on the subject of the murder of this gentleman by the Caffres, *App. p.* 719, 720.

*War.* Frequent wars between the native tribes, and nature of the weapons used, *Broughton* 262–270, *Yate* 1848–1850——Is decidedly the greatest barrier to trade and commerce, *Beresford* 2395——Of late years there has been no wars between the Zoolahs and the Amapondas, *Gardiner* 4116——Particulars respecting a war between two native tribes, incited by the master of an English vessel lying in the Bay of Islands, *Coates and others* 4277——The wars between the natives of South Sea Islands far more destructive now than formerly, from their being possessed of fire-arms, *Coates, Beecham & Ellis* 4328 ——Natives are often incited to it by Europeans, from most dishonourable motives, *Beecham* 4416, *p.* 540——Caffres and boors used to fight with each other in the Zuurveldt, *Stoffel* 5031–5035.

*See* also *Caffre War. Cattle,* 4. *Combination. Congo,* Chief. *Hottentots,* 5. *Kat River Settlement,* 1. *Missionaries,* 2, 3. *Native Tribes,* II, 5.

*Warden,* Captain. During the time he was at the military post always permitted the Caffres to go backwards and forwards to the colony without any restriction, *Read* 5260. 5270, 5271.

*Water.* There will always be a good supply of water in Great Namaqualand, *Beecham* 4411.

*Waterboer,* Chief. Very much attached to the British Government, *Stockenstrom* 1892–1895—— Has expressed, together with other Griqua chiefs, a desire to be connected with the colonial government, *Philip* 5327, *p.* 609——Particulars of the interview between him and the civil commissioner of Graaff Reinet, respecting the murder of some colonists by a man named Stuurman and his party, *Philip* 5327, *p.* 617——Particulars respecting the combination among the Bergenaars for the purpose of destroying him, in consequence of his determination to put an end to plunder and bloodshed, *Philip* 5327, *p.* 614—— Exertions made by him to prevent robbery and bloodshed on his part of the frontier, not wholly without success, *Philip* 5327——Translation of a letter from him to witness, dated 4 December 1832, on the subject of the conduct of Cornelius Kok, and suggestion that the colonial government should withdraw its sanction of his chieftainship, *Philip* 5327——Letter from him to the Rev. Mr. Wright on the origin and nature of the power of the Griqua chiefs, *Philip* 5327, *p.* 624, 625.

*Watson,* Rev. Mr. Extracts from his journals relative to the pernicious influence of the immoral conduct of the Europeans upon the natives of New South Wales, *Coates, Beecham & Ellis* 4280–4288, *p.* 487.

*Weeks,* Mr. *John.* Extract of a letter from him to the lay secretary of the Church Missionary Society, dated 4 February 1835, on the present state and progress made in the West African mission, *Coates, Beecham & Ellis* 4376, *p.* 519, 520.

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*Weller,* Messrs. Particulars respecting their detention of a New Zealand chief and his family as hostages for the safety of the crews of their whaling boats, *Ev. p.* 681.

*Wellington Valley.* Letter from witness to General Darling, dated 14 June 1831, pointing out the advantages of Wellington Valley being appointed as a missionary settlement; General Darling's answer thereto, *Broughton* 297, *p.* 21, 22——Missionary station established there under the superintendence of the Church Missionary Society, *Yate* 1793, 1794.

*Wentzell,* Mr. *W. A.* Correspondence between him and the Rev. W. Anderson, missionary at Pacaltsdorp, relative to the number of Hottentots located there, *App. p.* 736.

*Wesleyan Missionary Society.* Contributions of the Britiah colonists of the Albany district, South Africa, to the funds of the Wesleyan Missionary Society, more especially for the extension of Christianity among the Caffre tribes, at the annual auxiliary mission meetings held in Graham's Town, from 1829 to 1834, *Philips* 1545, *p.* 179——Have established a printing press at Graham's Town, *Beecham* 4402, *p.* 535——Success attending those missions in the South Seas and Western Africa, and evidence thereon, *Coates, Beecham & Ellis* 4411.

*See* also *Africa,* Western. *Caffre War,* 1. *Missionaries,* 4. *Namaqualand,* Great. *Neutral Territory. Normal Schools. Orange River. Sichuana Language. South Sea Islands.*

*Wesleyville.* Number of Caffres that have been admitted members of the church at Wesleyville, *Shaw* 692, 693. 706–711——Extract of a letter addressed to the governor on the reported removal of the store for selling clothing, &c. at Wesleyville, *Shaw* 1063–1068 ——Was founded by the Rev. William Shaw, *Beecham* 4402, *p.* 535.

*See* also *Normal Schools. Ploughs. Polygamy. Shaw,* Rev. Mr. *Waggons.*

*Western Africa.* See *Africa,* Western.

*Whalers.* Evil impression made by the misconduct of the crews of whalers has been more than counterbalanced by the good example, &c. of the missionaries, *Marshall* 3784, 3785——Great number of whalers touch at New Zealand; the crews of whalers corrupt the morals of the natives, and teach them many practices which are very detrimental, *Trapp* 3931–3933——Preventing them from touching at New Zealand would be considered by the natives as a great calamity, *Trapp* 3935——The men employed in them frequently commit great excesses for the want of laws for the preservation of order, *Trapp* 3935——The conduct of captain and crew of whalers has done much to lower the character of the British nation in the eyes of the natives of the South Seas, *Williams* 5593–5597. 5639——*See* also *Weller*, Messrs.

*Wharfs.* Great want of, at Algoa Bay, *Philipps* 932.

*Whittaker*, Mr. Was murdered by the Caffres while holding a parley with them, which they had requested, *Cox* 2919, 2920.

*Wilde*, Sir *John.* Expressed himself in high terms of the schools at the Kat River settlement, *Philip* 5436.

*Wild Herbs.* Are the principal diet of Bushmen, *Stockenstrom* 1553.

*Williams*, Rev. *John.* (Analysis of his Evidence.)—Missionary in the South Sea Islands for 18 years, 5563–5565——Inhabitants of the South Sea Islands were consistent in their profession of Christianity till the introduction of ardent spirits, 5566, 5567——No instance has occurred of natives returning to idolatry after they have professed Christianity, 5570–5572——Intercourse of Europeans with the inhabitants of the South Sea Islands is decidedly detrimental, 5578, 5579——Frequent instances of seamen deserting their ships for the purpose of living with the natives, 5580–5582——They generally treat the natives with kindness, being dependent on them, 5582——Runaway sailors do incalculable mischief among the natives, by circulating reports injurious to the interests of the shipping, 5588——Native chiefs would not object to the establishment of magistrates or agents in the islands, 5589–5592——The visits of ships of war have done a great deal of good, 5592, 5593.

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The establishment of infant schools in the South Sea Islands will be very advantageous, 5669–5675——Great importance of these islands both in a commercial and manufacturing point of view, 5677——The appointment of a special agent to regulate the trade between the natives and Europeans at Tahiti recommended, 5678–5685——Evidence respecting the condition of the aborigines of New Holland previous to the visits of missionaries among them, 5695–5703——Failure of civilization in New South Wales was not caused by any incapacity on the part of the people for retaining instruction, but by the deficient means used for the purpose of giving and following up that instruction, 5707–5711.

*Williams*, Rev. Mr. Influence possessed by him over the Caffres was beneficially exerted during the war of 1819, *Shaw* 607.——*See* also *Missionaries*, 4.

*Willshire*, Colonel. Particulars respecting the attack made by military under his command on three Caffre kraals, for the purpose of recovering stolen cattle, *Blakeman* 1309–1318.

*Winterburgh.* Is at present but very thinly inhabited by the boors, *Aitchison* 35.

*Woollen Cloths.* Considerable demand among the Caffres for woollen cloths, *Shaw* 1128.

*Women.* Caffre women extremely well treated during the war; they were not driven out of the colony, *Beresford* 2449–2451——Very probable that women might be fired on, as the men disguise themselves in their dresses, *Cox* 2833–2835——Who fell into the hands of the Caffres were not destroyed, *Beresford* 2534——The females of the natives of Southern Africa have been taken from them for immoral purposes, not only by the boors, but by British officers, *Hodgkin* 3890——English residents at Port Natal have been instigators in taking away women from the Zoolu country, contrary to the direct orders of Dingarn, *Gardiner* 4001.

*Worcester.* See *Legislative Council.*

*Wright,* Mr. *Peter.* Extract from his Journal, showing the combination of the Bergenaars for the purpose of destroying the chief Waterboer, *Philip* 5327, *p.* 624, 625.

*Writing* Witness was instructed in writing by the late Mr. Williams, *Tzatzoe* 4673, 4674 ——I staught at the schools at the Kat River settlement, *Reid,* jun. 5093, *Philip* 5438.

*Wyandot's Tribe.* Extract from Bishop M'Kendree's report of the state of the mission among this tribe in June 1822, *Coates, Beecham & Ellis* 4402——Extract of a letter from John Johnston, Esq., dated 23d August 1823, on the same subject, *Coates, Beecham & Ellis* 4402, *p.* 532, 533.

X.

*Xo Xo,* son of Gaika. His being shot, was the principal cause of the late Caffre invasion, *Tzatzoe* 4598–4602——He was wounded on what was called the neutral territory, between the Keiskamma and the Fish River, *Tzatzoe* 4619–4631.

Y.

*Yams.* Cannot be cultivated in the South Sea Islands according to the European mode of agriculture, *Williams* 5625.

*Yate,* Rev. *William.* (Analysis of his Evidence.)—Missionary in the South Sea Islands; nature of his duties, 1586–1591——Population of the northern island of New Zealand; character of its inhabitants, 1592–1596——Evidence respecting the interference of missionaries in making peace between the natives and those who had injured them, 1597–1607——Missionaries hold no land but what has been purchased of the natives; manner of paying for land, 1608–1612——Instances of missionaries being called on to exercise their influence in making peace between contending tribes, and beneficial results, 1613–1631——Custom of tapuing nearly extinct in the northern part of New Zealand through the agency of the missionaries; nature of the tapu, 1635–1641——British resident at New Zealand not armed with sufficient powers; nature and extent of those that should be granted him, and benefits that would be derived therefrom, 1642–1676.

No difficulty in bringing the natives to a conference, 1648——The removal of runaway seamen and convicts would be a great benefit to New Zealand; mischievous effects from their presence on the natives, and their number, 1654–1657——The natives would assist in their apprehension, 1658–1661——The appointment of British resident at New Zealand has been attended with beneficial effect, 1669——Number of British subjects in New Zealand; of runaway seamen and convicts, 1671, 1672——Particulars respecting the trial of Captain Stewart, 1677–1679——Want of competent courts of justice in New Zealand, and suggestions thereon, 1680–1687——New Zealanders make no objection to Europeans settling there, if they are disposed to purchase land, 1689——Disputes between the natives and settlers generally originate with the latter, 1692–1694.

[Second Examination.]—Particulars respecting the conduct of Captain Jack, in bringing the heads of some of the persons who had been murdered (on board Captain Stewart's vessel) to New Zealand, 1695, 1696——Corrosive sublimate has been imported into New Zealand by English captains, and the use of it explained to the natives, 1697–1705——The importation of Congreve rockets into New Zealand would have a very injurious tendency, 1707–1709——Principal employment of British subjects in New Zealand; distance they reside from the British resident, 1710–1714——Evidence respecting the captain of a vessel securing certain natives of the East Cape, and turning them ashore at the Bay of Islands as slaves; manner in which they were released, and by whom, 1718–1728.

The conduct of captains and crews of merchant vessels visiting New Zealand highly demoralizing, 1729–1732——Enlarging the powers of the British resident there would be very acceptable to the natives, 1736–1744——Manner in which natives employ themselves when not engaged in war, 1751——The introduction of machinery for preparing flax might be advantageously introduced, 1752, 1753——Extent of slavery there, 1767–1769——Very great anxiety on the part of the natives to receive instruction; great want of religious instructors there, 1776–1781——Not necessary that missionaries should have political power vested in them, 1784, 1785.

Condition of the aborigines in Sydney much more deteriorated than those of New Zealand, in consequence of the influence possessed by the convicts in New South Wales over them, 1787–1792——Former efforts to introduce Christianity among the natives failed from the want of encouragement; sum allowed for that purpose by Government, and beneficial effects expected therefrom, 1793–1801——State of the aborigines has been

*Yates*, Rev. *William*. (Analysis of his Evidence)—*continued*.

been very much neglected by Government, 1802–1822——Evidence of a native would not be received in the courts of justice there, 1811–1813——Natives seldom employed by Europeans, except at Port Stephens; manner they are paid for their labour, 1814, 1815——Suggestions for improving the condition of the aborigines in New South Wales, 1823.

Outrages committed on colonists and their labourers by the natives, merely an act of retaliation on their part for injuries received from the stockkeepers, 1830–1835——The introduction of a convict population amongst the natives will always be attended with very serious consequences while they remain in their present uncivilized state, 1836——Decrease in the number of aborigines; caused by the introduction of European diseases, 1840——Frequent quarrels and battles between the native tribes of New South Wales, 1848–1850——Very desirable that the natives should be located at particular spots, 1838, 1839. 1851–1853——Aborigines of New Zealand far superior in mental and moral and physical powers to those of New South Wales, 1854, 1855——Habits of the natives of Sydney have undergone a very great change, 1859, 1860——Conduct of the crews of American ships far superior to that of the crew of a British vessel, 1867–1870.

*Yates*, Rev. *William*. See *New Zealand*, 3.

*Young*, Rev. *Samuel*. (Analysis of his Evidence.)—Wesleyan missionary, resident at the Cape of Good Hope six years, 5518–5521——Statement of a conversation between witness and Congo, a chief of the Gonagebie tribe of Caffres, respecting the late war, and the causes which led to it, 5524——Witness's objection to the commando system entirely depends on the manner they are conducted, and the manner in which the persons against whom they are sent conduct themselves, 5527–5529.

Principles of justice have not been in every case observed by Europeans towards the natives, 5533, 5534——No doubt that we have, to a certain extent, introduced among the inhabitants of Southern Africa certain evils and diseases which call for compensation, 5535–5539——No system of commandos will ever bring them to a state of civilization independent of a perfect system of justice, 5537——The expeditions of Lieutenants Sparkes and Sutton were immediately prior to the breaking out of hostilities against the colony, 5550–5561.

## Z.

*Zeco or Seco*. See *Commando System*. *Erasmus*, Field Cornet. *Stockenstrom*, Capt.

*Zealand*, New. See *New Zealand*.

*Zoolu*, King of. Extent of country conceded by witness, *Gardiner* 3991–3998——Evidence respecting the character of Dingarn King of Zoolu, *Gardiner* 4010–5019.
*See* also *Dingarn*, King. *Port Natal*. *Treaties*.

*Zoolu Country and Zoolahs*. Laws of that country are such that almost everything is liable to be punished with death, should the king so adjudge, *Gardiner* 4015——The Zoolu nation is made up of all kinds of tribes, *Gardiner* 4026——They formerly conquered the Caffres, owing to their mode of warfare, *Gisborne* 3363——Their hostility against the Europeans under Lieutenant Fairman was caused from a Dutchman, named Lochenberg, having accompanied the Caffres in their attacks on the Zoolahs, *Gisborne* 3432——They are more ferocious characters than the Caffres, *Gisborne* 3363–3366——The Zoolahs are a much more powerful body than the Caffres, *Gardiner* 4114–4118.
*See* also *Native Tribes*, II, 3. *Port Natal*. *Trade and Commerce*. *War*.

*Zuurveldt*. When Mr. Read and Dr. Vanderkemp arrived at Bethelsdorf, the Zuurveldt was occupied by Caffres and Hottentots jointly, *Stoffel* 4953–4958——Caffres were in possession of the Zuurveldt when witness first went to South Africa, *Read* 5235——In 1811 the Caffres were expelled therefrom, *Philip* 5716.
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